

**TUESDAY, APRIL 17, 2018**

**SEVENTY-THIRD LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Pastor Doug Dillard, Lighthouse Church, Carthage, TN.

Representative Weaver led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 89

Representatives present were Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Vaughan, Weaver, White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 89

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Gravitt; personal

Representative Matheny

**PRESENT IN CHAMBER**

Reps. Mitchell and Parkinson were recorded as being present in the Chamber.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 318** Rep. Gilmore as prime sponsor.

**House Resolution No. 328** Rep. Gilmore as prime sponsor.

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**House Joint Resolution No. 1227** Reps. Favors, Jones, Miller, Shaw, Camper, Akbari, Cooper, Towns, Staples, Love, Windle, Pitts, Beck, Fitzhugh, DeBerry, Hardaway and Turner as prime sponsors.

**House Bill No. 601** Rep. Daniel as prime sponsor.

**House Bill No. 1345** Rep. Thompson as prime sponsor.

**House Bill No. 1698** Reps. M. White and Hardaway as prime sponsors.

**House Bill No. 1732** Rep. Hardaway as prime sponsor.

**House Bill No. 1772** Rep. Hardaway as prime sponsor.

**House Bill No. 1805** Reps. Terry, Faison, Rogers, Akbari, Camper and Parkinson as prime sponsors.

**House Bill No. 1848** Rep. Hazlewood as prime sponsor.

**House Bill No. 1854** Rep. Lynn as prime sponsor.

**House Bill No. 1857** Rep. Terry as prime sponsor.

**House Bill No. 1895** Rep. Daniel as prime sponsor.

**House Bill No. 1938** Rep. Thompson as prime sponsor.

**House Bill No. 1981** Reps. Daniel and Parkinson as prime sponsors.

**House Bill No. 2138** Reps. Sherrell, Moody, Hawk, Ragan, Calfee, M. White, Butt, Keisling, Kumar, Zachary, Goins, Weaver, Crawford, Van Huss, Windle, Camper, Reedy, M. Hill, Staples and Hardaway as prime sponsors.

**House Bill No. 2280** Rep. Pitts as prime sponsor.

**House Bill No. 2321** Rep. Hardaway as prime sponsor.

**House Bill No. 2348** Reps. Favors, Curcio, Tillis, Powers and Powell as prime sponsors.

**House Bill No. 2384** Rep. K. Brooks as prime sponsor.

**House Bill No. 2435** Reps. Camper, Akbari and Thompson as prime sponsors.

**House Bill No. 2520** Reps. Parkinson and Camper as prime sponsors.

**House Bill No. 2549** Reps. Gilmore as prime sponsors.

**House Bill No. 2550** Rep. Powers as prime sponsor.

**SPONSORS REMOVED**

On Motion, Rep. Gilmore was removed as sponsor of **House Bill No. 2549**.

**MESSAGE FROM THE SENATE**

**April 17, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1781 and 1842; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Bill No. 1781** -- Hospitals and Health Care Facilities - As introduced, requires the bureau of TennCare to provide prior notice to the chairs of the health committee of the house of representatives and the health and welfare committee of the senate before making pro rata reductions in payments from the nursing home assessment trust fund. - Amends TCA Title 68 and Title 71. by \*Crowe, \*Massey, \*Yager. (HB1848 by \*Johnson)

**\*Senate Bill No. 1842** -- Education, Higher - As introduced, requires the disclosure concerning transferability of credits that institutions authorized to operate by THEC must make to potential students to be in 18-point type rather than 16-point type. - Amends TCA Title 49. by \*Gresham. (HB2198 by \*Goins, \*Littleton)

**MESSAGE FROM THE SENATE**

**April 17, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 894 and 907; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 894** -- Memorials, Academic Achievement - Troy Dalton Sloan, Valedictorian, East Robertson High School. by \*Roberts.

**Senate Joint Resolution No. 907** -- Memorials, Recognition - Steve Wariner. by \*Bowling.

**MESSAGE FROM THE SENATE**

**April 17, 2018**

MADAM SPEAKER: I am directed to request the return of House Bill No. 2603; for further consideration.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 17, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No. 826; adopted, for the House's action.

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RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 826** -- Memorials, Recognition - Food Allergy Awareness Day, May 13, 2018. by \*Ketron, \*Bailey.

## **RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar No. 2 for April 17, 2018:

**House Resolution No. 325** -- Memorials, Recognition - "Zaevion Dobson Day," May 19, 2018. by \*Smith.

**House Resolution No. 326** -- Memorials, Personal Occasion - Mary Edith Carr Wright, 100th birthday. by \*Hicks.

**House Resolution No. 327** -- Memorials, Interns - Elizabeth Leah "Eliza" Ford. by \*Miller.

**House Resolution No. 328** -- Memorials, Sports - Vanderbilt University women's tennis team, 2018 SEC champions. by \*Clemmons.

**House Joint Resolution No. 1218** -- Memorials, Retirement - Kathy Wood-Dobbins. by \*McDaniel, \*Fitzhugh, \*Pitts.

**House Joint Resolution No. 1219** -- Memorials, Academic Achievement - Reuben Woodard, Valedictorian, Hamilton High School. by \*Akbari.

**House Joint Resolution No. 1220** -- Memorials, Academic Achievement - Kaneisha K. Hall, Salutatorian, Hamilton High School. by \*Akbari.

**House Joint Resolution No. 1221** -- Memorials, Academic Achievement - Danyell McAdams, Senior Class President, Hamilton High School. by \*Akbari.

**House Joint Resolution No. 1222** -- Memorials, Academic Achievement - Margaret Maxwell, Valedictorian, Sheffield High School. by \*Akbari.

**House Joint Resolution No. 1223** -- Memorials, Academic Achievement - Omar Ruiz, Salutatorian, Sheffield High School. by \*Akbari.

**House Joint Resolution No. 1224** -- Memorials, Academic Achievement - Katerion Pender, Class President, Sheffield High School. by \*Akbari.

**House Joint Resolution No. 1225** -- Memorials, Interns - Jordan Danielle Scales. by \*Akbari.

**House Joint Resolution No. 1226** -- Memorials, Personal Occasion - Brian Harris, 40th birthday. by \*Akbari.

**House Joint Resolution No. 1227** -- Memorials, Recognition - Ronald Coffin, Frank Young, Constance Hooper Scott, Sylvia Porter, and Gervy Howard. by \*Ramsey, \*Moon, \*Favors, \*Jones, \*Miller, \*Shaw, \*Camper, \*Akbari, \*Cooper, \*Towns, \*Staples, \*Love, \*Windle, \*Pitts, \*Beck, \*Fitzhugh, \*DeBerry, \*Hardaway.

**House Joint Resolution No. 1228** -- Memorials, Death - Laddie Morris, Jr. by \*Thompson.

**House Joint Resolution No. 1229** -- Memorials, Recognition - Reverend Bassil Gardner Brooks, 42nd anniversary. by \*Thompson.

**House Joint Resolution No. 1230** -- Memorials, Academic Achievement - Laramie Plott, Valedictorian, Zion Christian Academy. by \*Butt.

**House Joint Resolution No. 1231** -- Memorials, Academic Achievement - Jenny Claire Buckner, Valedictorian, Zion Christian Academy. by \*Butt.

**House Joint Resolution No. 1232** -- Memorials, Academic Achievement - Sarah Thomas, Valedictorian, Zion Christian Academy. by \*Butt.

**House Joint Resolution No. 1233** -- Memorials, Academic Achievement - Autumn Nicole Belcher, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1234** -- Memorials, Academic Achievement - James Brady Biggs, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1235** -- Memorials, Academic Achievement - Ethan R. Crowder, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1236** -- Memorials, Academic Achievement - Erin F. Forgety, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1237** -- Memorials, Academic Achievement - Reanna R. Hanson, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1238** -- Memorials, Academic Achievement - William R. Jenkins, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1239** -- Memorials, Academic Achievement - Landon S. Margetjak, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1240** -- Memorials, Academic Achievement - Logan S. Mitchell, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1241** -- Memorials, Academic Achievement - Claire G. Roberson, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1242** -- Memorials, Academic Achievement - Emma M. Shaver, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1243** -- Memorials, Academic Achievement - Savannah Hopkins, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1244** -- Memorials, Academic Achievement - Meghan Danielle Holt, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1245** -- Memorials, Academic Achievement - Dylan Wayne Bell, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1246** -- Memorials, Academic Achievement - Tyler Shane Mullins, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1247** -- Memorials, Academic Achievement - Tabitha Ivonn Dykes, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1248** -- Memorials, Academic Achievement - Anastey Raegan Seal, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1249** -- Memorials, Academic Achievement - Victoria Marion, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1250** -- Memorials, Academic Achievement - Brady Ramsey, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1251** -- Memorials, Academic Achievement - Amber Estes, Salutatorian, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1252** -- Memorials, Academic Achievement - Sarah Nichole Hopkins, Valedictorian, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1253** -- Memorials, Recognition - Collegiate fraternity and sorority community. by \*DeBerry.

## **RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for April 18, 2018:

**House Joint Resolution No. 1254** -- Memorials, Recognition - Johnson County Rescue Squad, 50th anniversary. by \*Hill T.

**House Joint Resolution No. 1255** -- Memorials, Academic Achievement - Leticia Rosas, Valedictorian, Wooddale High School. by \*Camper.

**House Joint Resolution No. 1256** -- Memorials, Academic Achievement - Johanna Orozco, Salutatorian, Wooddale High School. by \*Camper.

**House Joint Resolution No. 1257** -- Memorials, Recognition - Johnson County Rescue Squad, 50th Anniversary. by \*Hill T.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar No. 2 for April 17, 2018:

**Senate Joint Resolution No. 894** -- Memorials, Academic Achievement - Troy Dalton Sloan, Valedictorian, East Robertson High School. by \*Roberts.

**Senate Joint Resolution No. 907** -- Memorials, Recognition - Steve Wariner. by \*Bowling.

**Senate Joint Resolution No. 859** -- Memorials, Retirement - Barbara Gray. by \*Norris.

**Senate Joint Resolution No. 862** -- Memorials, Recognition - Bethel United Methodist Church. by \*Ketron, \*Reeves.

**Senate Joint Resolution No. 863** -- Memorials, Death - John Herman Baker. by \*Gresham.

**Senate Joint Resolution No. 865** -- Memorials, Interns - Hogan Smithmier. by \*Roberts.

**Senate Joint Resolution No. 866** -- Memorials, Recognition - Second Presbyterian Church, 200th anniversary. by \*Massey, \*Briggs.

**Senate Joint Resolution No. 867** -- Memorials, Death - Donna Jo Pecoraro Woodson Thornton. by \*Massey, \*Briggs, \*Yarbro.

**Senate Joint Resolution No. 868** -- Memorials, Interns - Austin Deal. by \*Massey, \*Briggs.

**Senate Joint Resolution No. 869** -- Memorials, Death - Martha Marie Couch Coursey. by \*Gresham.

**Senate Joint Resolution No. 870** -- Memorials, Death - Annie Clay Brown. by \*Gresham.

**Senate Joint Resolution No. 871** -- Memorials, Interns - Haley Clarissa Engle. by \*Swann.

**Senate Joint Resolution No. 872** -- Memorials, Academic Achievement - Rebecca Charlene Richey, Salutatorian, Creek Wood High School. by \*Roberts.

**Senate Joint Resolution No. 873** -- Memorials, Academic Achievement - Hayden Luke Suddeth, Valedictorian, Creek Wood High School. by \*Roberts.

**Senate Joint Resolution No. 874** -- Memorials, Academic Achievement - David Smith, Salutatorian, Christian Community Schools. by \*Roberts.

**Senate Joint Resolution No. 875** -- Memorials, Academic Achievement - Caleb Starling, Valedictorian, Christian Community Schools. by \*Roberts.

**Senate Joint Resolution No. 876** -- Memorials, Interns - Sarah Ann Noel. by \*Gresham.

**Senate Joint Resolution No. 877** -- Memorials, Recognition - Susie James. by \*Pody.

**Senate Joint Resolution No. 891** -- Memorials, Academic Achievement - Taylor Renee Gamble, Salutatorian, East Robertson High School. by \*Roberts.

**Senate Joint Resolution No. 892** -- Memorials, Academic Achievement - Hannah Battles, Salutatorian, Cheatham County Central High School. by \*Roberts.

**Senate Joint Resolution No. 893** -- Memorials, Academic Achievement - Jackson Rowe, Valedictorian, Cheatham County Central High School. by \*Roberts.

**Senate Joint Resolution No. 895** -- Memorials, Academic Achievement - Jacob Alan Smith, Valedictorian, White House Heritage High School. by \*Roberts.

**Senate Joint Resolution No. 896** -- Memorials, Academic Achievement - Forrest Isaias Whiting, Salutatorian, White House Heritage High School. by \*Roberts.

**Senate Joint Resolution No. 897** -- Memorials, Academic Achievement - Abigail Haggard, Valedictorian, Sycamore High School. by \*Roberts.

**Senate Joint Resolution No. 898** -- Memorials, Academic Achievement - Lauren Hunsicker, Salutatorian, Sycamore High School. by \*Roberts.

**Senate Joint Resolution No. 899** -- Memorials, Academic Achievement - Stephen Edward Jacobs, Valedictorian, Harpeth High School. by \*Roberts.

**Senate Joint Resolution No. 900** -- Memorials, Academic Achievement - Jared Prine Higgs, Salutatorian, Harpeth High School. by \*Roberts.

**Senate Joint Resolution No. 901** -- Memorials, Academic Achievement - Noah Westley Holland, Valedictorian, Springfield High School. by \*Roberts.

**Senate Joint Resolution No. 902** -- Memorials, Academic Achievement - Luke Bradley Petitt, Salutatorian, Springfield High School. by \*Roberts.

**Senate Joint Resolution No. 903** -- Memorials, Retirement - Congressman John J. Duncan, Jr. by \*Massey, \*Briggs, \*McNally, \*Bailey, \*Bell, \*Bowling, \*Crowe, \*Dickerson, \*Gardenhire, \*Green, \*Gresham, \*Haile, \*Harper, \*Harris, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Ketrn, \*Kyle, \*Lundberg, \*Niceley, \*Norris, \*Pody, \*Reeves, \*Roberts, \*Southerland, \*Stevens, \*Swann, \*Tate, \*Watson, \*Yager, \*Yarbro.

**Senate Joint Resolution No. 904** -- Memorials, Public Service - Congressman John J. Duncan, Jr.'s staff. by \*Massey, \*Briggs, \*McNally, \*Bailey, \*Bell, \*Bowling, \*Crowe, \*Dickerson, \*Gardenhire, \*Green, \*Gresham, \*Haile, \*Harper, \*Harris, \*Hensley, \*Jackson, \*Johnson,



**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

\*Kelsey, \*Ketron, \*Kyle, \*Lundberg, \*Niceley, \*Norris, \*Pody, \*Reeves, \*Roberts, \*Southerland, \*Stevens, \*Swann, \*Tate, \*Watson, \*Yager, \*Yarbro.

**Senate Joint Resolution No. 905** -- Memorials, Recognition - Crystal Stander, Boys and Girls Clubs Youth of the Year. by \*Bell.

**Senate Joint Resolution No. 906** -- Memorials, Recognition - Devore Soloman, Boys and Girls Clubs Youth of the Year. by \*Massey.

**Senate Joint Resolution No. 908** -- Memorials, Recognition - Mark Beeler, Governor's Volunteer Stars Award. by \*Haile.

**Senate Joint Resolution No. 910** -- Memorials, Retirement - Dr. Charles Eugene Walker. by \*Watson.

**Senate Joint Resolution No. 911** -- Memorials, Recognition - HCA Healthcare, 50th anniversary. by \*Watson, \*Reeves, \*Yarbro.

**Senate Joint Resolution No. 912** -- Memorials, Recognition - Hannah Dove Maurice, Boys and Girls Clubs Youth of the Year. by \*Swann.

**Senate Joint Resolution No. 913** -- Memorials, Recognition - Jermize Weddle, Boys and Girls Clubs Youth of the Year. by \*Stevens.

**Senate Joint Resolution No. 914** -- Memorials, Death - Wanda Fay Bowling. by \*Yager, \*Bailey, \*Bell, \*Bowling, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Green, \*Gresham, \*Haile, \*Harper, \*Harris, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Lundberg, \*Massey, \*Niceley, \*Norris, \*Pody, \*Reeves, \*Roberts, \*Southerland, \*Stevens, \*Swann, \*Tate, \*Watson, \*Yarbro, \*McNally.

**Senate Joint Resolution No. 915** -- Memorials, Recognition - Quintarious Bond, Boys and Girls Clubs Youth of the Year. by \*Gresham.

**Senate Joint Resolution No. 916** -- Memorials, Recognition - David Price, Boys and Girls Clubs Youth of the Year. by \*Southerland, \*Reeves.

**Senate Joint Resolution No. 917** -- Memorials, Recognition - Donovan Stokes, Boys and Girls Clubs Youth of the Year. by \*Southerland.

**Senate Joint Resolution No. 918** -- Memorials, Recognition - Cameron Hamilton, Boys and Girls Clubs Youth of the Year. by \*Southerland.

**Senate Joint Resolution No. 919** -- Memorials, Professional Achievement - Amy Whaley, Regional Teacher of the Year. by \*Southerland.

**Senate Joint Resolution No. 920** -- Memorials, Recognition - Boys and Girls Club of Morristown, 60th anniversary. by \*Southerland.

**Senate Joint Resolution No. 921** -- Memorials, Recognition - Rebecca Wood, 2018 president of the Tennessee Road Builders Association. by \*Ketron, \*Reeves.

**Senate Joint Resolution No. 922** -- Memorials, Recognition - Haven Goodell, Boys and Girls Clubs Youth of the Year. by \*Crowe, \*Lundberg.

**Senate Joint Resolution No. 923** -- Memorials, Recognition - Y-12 National Security Complex, 75th anniversary. by \*McNally, \*Briggs, \*Yager.

**Senate Joint Resolution No. 924** -- Memorials, Interns - Harris King. by \*McNally, \*Briggs.

**Senate Joint Resolution No. 925** -- Memorials, Retirement - Smith County Mayor Michael Nesbitt. by \*Pody, \*Bailey, \*Haile.

**Senate Joint Resolution No. 926** -- Memorials, Academic Achievement - Dylan Cole Maxfield, Salutatorian, Clay County High School. by \*Pody.

**Senate Joint Resolution No. 927** -- Memorials, Recognition - Isaiah Bullock, Boys and Girls Clubs Youth of the Year. by \*Hensley.

**Senate Joint Resolution No. 928** -- Memorials, Retirement - Frederick A. "Rick" Brooks. by \*Haile.

**Senate Joint Resolution No. 929** -- Memorials, Retirement - Linda Kay Fulghum. by \*Gresham.

### **SENATE JOINT RESOLUTIONS (Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolutions listed were noted as being placed on the Consent Calendar for April 18, 2018:

**Senate Joint Resolution No. 826** -- Memorials, Recognition - Food Allergy Awareness Day, May 13, 2018. by \*Ketron, \*Bailey.

### **HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 2725** -- Rutherford County -- House Local Government Committee

### **REPORTS FROM STANDING COMMITTEES**

The committees that met on **April 17, 2018**, reported the following:

#### **FINANCE, WAYS AND MEANS COMMITTEE**

## **TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

The Finance, Ways & Means Committee recommended for passage: Senate Joint Resolution No. 521. Under the rules, each was transmitted to the Calendar and Rules Committee.

### **LOCAL GOVERNMENT COMMITTEE**

The Local Government Committee recommended for passage: House Bills Nos. 2723, 2724 and 2725. Under the rules, each was transmitted to the Calendar and Rules Committee.

### **COMMITTEE ON CALENDAR AND RULES**

The Calendar and Rules Committee met and set the following bills on the **Regular Calendar** for **April 18, 2018**: Senate Joint Resolution No. 521, House Bills Nos. 259, 1623, 1662 and 2723.

It further reports that it set the following bills and resolutions on the **Consent Calendar** for **April 18, 2018**: House Bills Nos. 2724 and 2725.

### **REPORT OF DELAYED BILLS COMMITTEE**

**April 17, 2018**

Pursuant to **Rule No. 77**, we the undersigned members of the Delayed Bills Committee have approved the following bills to be introduced: House Joint Resolution No. 1003 and Senate Joint Resolutions Nos. 619 and 727.

Beth Harwell, Speaker  
Glen Casada  
Craig Fitzhugh

### **CONSENT CALENDAR**

**House Resolution No. 317** -- Memorials, Interns - Cody William Pyle. by \*Jernigan, \*Beck, \*Windle.

**House Resolution No. 318** -- Memorials, Interns - Jayla Chante' Johnson. by \*Sexton C.

**House Resolution No. 319** -- Memorials, Recognition - Second Chance Month. by \*Gilmore.

**House Resolution No. 320** -- Memorials, Recognition - Annabelle Lovell. by \*Clemmons.

**House Resolution No. 321** -- Memorials, Academic Achievement - Emily Anne Webb. by \*Clemmons.

**House Resolution No. 322** -- Memorials, Death - Dan Smith. by \*Clemmons.

**House Resolution No. 323** -- Memorials, Academic Achievement - Ra'Chandice Brown, Salutatorian, Trezevant High School. by \*Miller.

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**House Resolution No. 324** -- Memorials, Academic Achievement - Raven Lockett, Valedictorian, Trezevant High School. by \*Miller.

**House Joint Resolution No. 1209** -- Memorials, Personal Occasion - Sue Ella Caldwell Banks, 100th birthday. by \*Fitzhugh.

**House Joint Resolution No. 1210** -- Memorials, Public Service - Representative Sherry Jones. by \*Fitzhugh.

**House Joint Resolution No. 1211** -- Memorials, Death - Dan Smith. by \*Boyd.

**House Joint Resolution No. 1212** -- Memorials, Interns - Nicole Lareau. by \*Harwell.

**House Joint Resolution No. 1213** -- Memorials, Academic Achievement - Natalie Hope Olds, Valedictorian, Providence Academy. by \*McDaniel.

**House Joint Resolution No. 1214** -- Memorials, Personal Occasion - Donald and Wilma Gann, 65th anniversary. by \*Keisling.

**House Joint Resolution No. 1215** -- Memorials, Recognition - Dr. Eric Hasemeier. by \*Keisling.

**House Joint Resolution No. 1216** -- Memorials, Public Service - Jody and Hugh Brashear. by \*Matlock.

**House Joint Resolution No. 1217** -- Memorials, Sports - Stratford High School boys' basketball team, TSSAA Class AA State Semi-Finalist. by \*Beck.

**Senate Joint Resolution No. 889** -- Memorials, Recognition - Hey Belle, Robertson County Chamber of Commerce 2018 Business of the Year. by \*Roberts.

**Senate Joint Resolution No. 890** -- Memorials, Recognition - Dustin Thomas, Robertson County Chamber of Commerce 2018 Volunteer of the Year. by \*Roberts.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	85
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Gilmore, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matlock, McCormick, McDaniel, Mitchell,

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

Moody, Moon, Pitts, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 85

Representatives present and not voting were: Ramsey -- 1

A motion to reconsider was tabled.

**REGULAR CALENDAR, APRIL 16, 2018, CONTINUED**

**House Bill No. 1052** -- Judges and Chancellors - As introduced, extends, by five days, the deadline by which the board of judicial conduct must transmit reports on the number and disposition of complaints opened to the general assembly. - Amends TCA Title 4; Title 16 and Title 17. by \*Matlock. (\*SB900 by \*Bell)

On motion, House Bill No. 1052 was made to conform with **Senate Bill No. 900**; the Senate Bill was substituted for the House Bill.

Rep. Matlock moved that Senate Bill No. 900 be passed on third and final consideration.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Matlock moved that **Senate Bill No. 900** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	86
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 86

A motion to reconsider was tabled.

**PRESENT IN CHAMBER**

Reps. Lynn and Turner were recorded as being present in the Chamber.

**REGULAR CALENDAR, APRIL 16, 2018, CONTINUED**

**House Bill No. 2435** -- Economic and Community Development - As introduced, requires a municipality financing the cost of a qualified public use facility in a tourism development zone to provide notice, within five days instead of seven days, before entering into any structured lease agreement, that discloses the purpose of the agreement. - Amends TCA Title 7, Chapter 88 and Title 67, Chapter 4. by \*White M. (\*SB2056 by \*Tate)

Rep. M. White moved that House Bill No. 2435 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2435 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 7-88-106(a), is amended by designating the existing language as subdivision (a)(1) and adding the following new subdivision (a)(2):

(2)

(A) Notwithstanding subdivision (a)(1), and subject to the recommendation of the comptroller of the treasury and approval by the state building commission no later than December 31, 2018, the portion of the incremental increase in the local sales and use tax revenue shall be apportioned and distributed for one (1) qualified public use facility if placed in service no later than December 31, 2022, and if such facility consists of a hotel with at least five hundred (500) rooms and related retail, parking, and commercial uses. No state sales and use tax revenue shall be allocated to the municipality pursuant to this subdivision (a)(2).

(B) Apportionment and distribution of local tax revenue in accordance with subdivision (a)(2)(A) shall continue until the earlier of:

(i) Thirty (30) years from the date it is reasonably anticipated that the facility will commence operations as a public use facility; or

(ii) The date the cumulative amount apportioned and distributed to the municipality under subdivision (a)(2)(A) with respect to such facility equals the indebtedness of the municipality or public authority, plus interest thereon, related to the cost of the public use facility payable from such amount.

SECTION 2. Tennessee Code Annotated, Section 67-4-3003(c), is amended by designating the existing language as subdivision (c)(1) and adding the following new subdivision (c)(2):

(2) Tax levied pursuant to this part for a qualified public use facility approved pursuant to § 7-88-106(a)(2) shall continue until the earlier of:

(A) Thirty (30) years from the date it is reasonably anticipated that the facility will commence operations as a public use facility; or

(B) The date the cumulative amount apportioned and distributed to the municipality under § 67-4-3005 with respect to such public use facility equals the indebtedness of the municipality or public authority, plus interest thereon, related to the cost of the public use facility payable from such amount.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. M. White moved that **House Bill No. 2435**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 96

A motion to reconsider was tabled.

#### PRESENT IN CHAMBER

Rep. Hardaway was recorded as being present in the Chamber.

#### REGUALR CALENDAR, APRIL 16, 2018, CONTINUED

**House Bill No. 2690** -- Education - As introduced, creates additional privacy protections for students' education and health records; prohibits release of student records in certain circumstances without parents' informed written consent. - Amends TCA Title 49. by \*Weaver, \*Terry, \*Moody, \*Daniel. (\*SB2029 by \*Green, \*Gresham, \*Gardenhire)

Rep. Weaver moved that House Bill No. 2690 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Education Administration & Planning Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2690 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-2-124, is amended by adding the following as new subsections:

(h) An LEA or school shall notify parents or legal guardians prior to any student participating in any mental health screening. The written notice shall include:

(1) The purpose for the mental health screening;

(2) The provider or contractor providing the mental health screening;

(3) The date and time at which the mental health screening is scheduled; and

(4) The length of time the mental health screening may last.

(i) Pursuant to § 49-1-704, a parent or legal guardian has a right to inspect and review the parent or guardian's child's education records.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Education Administration & Planning Committee Amendment No. 1 was adopted.

Rep. Weaver moved that **House Bill No. 2690**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner,



Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 95

A motion to reconsider was tabled.

**House Bill No. 2520** -- Sentencing - As introduced, prohibits a sentencing court from making a sentencing determination based in whole or in part on defendant's consent or refusal to consent to any form of temporary or permanent birth control, sterilization, or family planning services, regardless of whether the defendant's consent is voluntarily given. - Amends TCA Title 40. by \*Akbari, \*Gilmore, \*Hardaway. (\*SB2133 by \*Kelsey, \*Harris, \*Yarbro)

Further consideration of House Bill No. 2520, previously considered on April 2, 2018 at which it was re-referred to the Criminal Justice Committee.

On motion, House Bill No. 2520 was made to conform with **Senate Bill No. 2133**; the Senate Bill was substituted for the House Bill.

Rep. Akbari moved that Senate Bill No. 2133 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Akbari moved that **Senate Bill No. 2133** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	70
Noes.....	23

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Camper, Casada, Clemmons, Coley, Cooper, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Holsclaw, Howell, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Lollar, Love, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moon, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Sanderson, Sexton C., Shaw, Sherrell, Smith, Staples, Stewart, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Weaver, White M., Whitson, Williams, Wirgau, Zachary, Madame Speaker Harwell -- 70

Representatives voting no were: Butt, Byrd, Calfee, Crawford, Daniel, Goins, Halford, Hill T., Holt, Hulsey, Keisling, Littleton, Lynn, Moody, Powers, Rogers, Rudd, Sexton J., Sparks, Terry, Vaughan, White D., Windle -- 23

A motion to reconsider was tabled.

### **REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "no" on **Senate Bill No. 2133** and have this statement entered in the Journal: Rep. Carter.

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on **Senate Bill No. 2133** and have this statement entered in the Journal: Rep. Sherrell.

**REGULAR CALENDAR, APRIL 16, 2018, CONTINUED**

**House Bill No. 1981** -- Education - As introduced, prohibits use of a test for the required eleventh grade assessment if problems occurred in an administration of the test or the grading of the test on any test date that resulted in students not receiving test scores. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 3 and Title 49, Chapter 6. by \*Smith, \*Hardaway. (\*SB1623 by \*Gresham)

Rep. Smith moved that House Bill No. 1981 be passed on third and final consideration.

Rep. Forgety moved adoption of Education Instruction & Programs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1981 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-6001(b), is amended by adding the following language as a new subdivision (2) and renumbering the current subdivision (2) as subdivision (3):

(2) If an assessment required under subdivision (b)(1) is misadministered by fault of the assessment provider, then the assessment provider must respond as follows:

(A) An incident report on the misadministration must be provided to the department of education and the LEA or LEAs in which the misadministration occurred. The incident report shall provide remediation plans that will result in reportable scores, if possible;

(B) The assessment provider shall reimburse the LEA or LEAs in which the misadministration occurred for any exam that does not result in a reportable score for the student; and

(C) Within thirty (30) days of discovering a misadministration, the assessment provider shall notify each student impacted by the misadministration of an opportunity for the student to take the assessment again at no charge.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Instruction & Programs Committee Amendment No. 1 was adopted.

Rep. Mitchell moved the previous question, which motion prevailed.

Rep. Smith moved that **House Bill No. 1981**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 94

A motion to reconsider was tabled.

**\*House Bill No. 1883** -- Controlled Substances - As introduced, clarifies that the present law that exempts certain oils containing cannabidiol and used for research or treatment of seizures or epilepsy will not be repealed on June 30, 2018; and removes DEA certification as an eligibility condition for the research exemption. - Amends TCA Title 39, Chapter 17 and Title 43. by \*Kane, \*Reedy, \*Terry. (SB1915 by \*Niceley, \*Massey)

Rep. Kane moved that House Bill No. 1883 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

#### **Amendment No. 1**

AMEND House Bill No. 1883 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-402(16), is amended by adding the following as new subdivisions:

(A) The term "marijuana" does not include oil containing the substance cannabidiol, with less than nine-tenths of one percent (0.9%) of tetrahydrocannabinol, if:

(i) The bottle containing the oil is labeled by the manufacturer as containing cannabidiol in an amount less than nine-tenths of one percent (0.9%) of tetrahydrocannabinol; and

(ii) The person in possession of the oil retains:

(a) Proof of the legal order or recommendation from the issuing state; and

(b) Proof that the person or the person's immediate family member has been diagnosed with intractable seizures or epilepsy by a medical doctor or doctor of osteopathic medicine who is licensed to practice medicine in the state of Tennessee;

(B) The term "marijuana" does not include cannabis oil containing the substance cannabidiol, with less than nine-tenths of one percent (0.9%) of tetrahydrocannabinol, including the necessary seeds and plants, when manufactured, processed, transferred, or possessed by a four-year public or private institution of higher education certified by the drug enforcement administration located in the state as part of a clinical research study on the treatment of intractable seizures, cancer, or other diseases;

SECTION 2. Tennessee Code Annotated, Section 43-26-102(4)(A), is amended by deleting the language "three-tenths of one percent (0.3%)" and substituting instead the language "six-tenths of one percent (0.6%)".

SECTION 3. Tennessee Code Annotated, Section 43-26-102(4)(B), is amended by deleting the subdivision.

SECTION 4. This act shall take effect at 12:01 a.m. July 1, 2018, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Kane moved that **House Bill No. 1883**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 94

A motion to reconsider was tabled.

**House Bill No. 2015** -- Alcoholic Beverages - As introduced, removes duplicate definition for a premier type tourist resort. - Amends TCA Title 57, Chapter 4. by \*Whitson, \*Casada, \*Sargent. (\*SB1941 by \*Johnson)

On motion, House Bill No. 2015 was made to conform with **Senate Bill No. 1941**; the Senate Bill was substituted for the House Bill.

Rep. Whitson moved that Senate Bill No. 1941 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Whitson moved that **Senate Bill No. 1941** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	70
Noes.....	13
Present and not voting.....	8

Representatives voting aye were: Akbari, Beck, Boyd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Kumar, Lamberth, Littleton, Marsh, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sexton C., Shaw, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., Whitson, Williams, Wirgau, Madame Speaker Harwell -- 70

Representatives voting no were: Brooks H., Butt, Dunn, Hill M., Hill T., Holt, Keisling, Lollar, Lynn, Sexton J., White M., Windle, Zachary -- 13

Representatives present and not voting were: Alexander, Byrd, DeBerry, Doss, Powers, Sherrell, Smith, Sparks -- 8

A motion to reconsider was tabled.

**House Bill No. 2531** -- Taxes, Sales - As introduced, requires aviation fuel dealers to file a monthly or quarterly report on tax paid not later than 45 days, instead of 30 days, after the last day of the sales period covered by the report. - Amends TCA Title 7; Title 9; Title 13 and Title 67, Chapter 6. by \*Calfee, \*Ragan. (\*SB2266 by \*Yager, \*McNally)

Rep. Calfee moved that House Bill No. 2531 be passed on third and final consideration.

Rep. McCormick moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2531 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-6-384, is amended by adding the following as a new subsection:

(c) Any entity that qualifies for a tax exemption under this section shall not be eligible for a sales and use tax exemption with regard to any industrial machinery that is used in the operation of a qualified data center or used primarily for research and development.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Calfee moved that **House Bill No. 2531**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Reedy, Rogers, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 92

A motion to reconsider was tabled.

**\*House Joint Resolution No. 1083** -- General Assembly, Confirmation of Appointment - Confirms appointment of John C. Compton to the UT board of trustees. by \*Casada, \*Hawk, \*Dunn, \*Brooks H, \*Matlock, \*Smith, \*Kane, \*Weaver, \*DeBerry, \*White M, \*Turner, \*Akbari, \*Moody, \*Fitzhugh.

Rep. Hawk moved that **House Joint Resolution No. 1083** be reset for the the Regular Calendar on April 18, 2018, which motion prevailed.

**\*House Joint Resolution No. 1084** -- General Assembly, Confirmation of Appointment - Confirms appointment of William E. Evans to UT board of trustees. by \*Casada, \*Hawk, \*Dunn, \*Brooks H, \*Matlock, \*Smith, \*Kane, \*Weaver, \*DeBerry, \*White M, \*Turner, \*Akbari, \*Moody, \*Fitzhugh.

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. Hawk moved that **House Joint Resolution No. 1084** be reset for the the Regular Calendar on April 18, 2018, which motion prevailed.

**\*House Joint Resolution No. 1086** -- General Assembly, Confirmation of Appointment - Confirms appointment of Brad A. Lampley to UT board of trustees. by \*Casada, \*Hawk, \*Dunn, \*Brooks H, \*Matlock, \*Smith, \*Kane, \*Weaver, \*DeBerry, \*White M, \*Turner, \*Akbari, \*Moody, \*Fitzhugh, \*Whitson.

Rep. Hawk moved that **House Joint Resolution No. 1086** be reset for the the Regular Calendar on April 18, 2018, which motion prevailed.

**\*House Joint Resolution No. 1087** -- General Assembly, Confirmation of Appointment - Confirms appointment of Kara M. Lawson to UT board of trustees. by \*Casada, \*Hawk, \*Staples, \*Dunn, \*Zachary, \*Brooks H, \*Kane, \*Matlock, \*Smith, \*Weaver, \*DeBerry, \*White M, \*Turner, \*Akbari, \*Moody, \*Fitzhugh.

Rep. Hawk moved that **House Joint Resolution No. 1087** be reset for the the Regular Calendar on April 18, 2018, which motion prevailed.

**\*House Joint Resolution No. 1088** -- General Assembly, Confirmation of Appointment - Confirms appointment of Melvin J. Malone to UT board of trustees. by \*Casada, \*Hawk, \*Dunn, \*Brooks H, \*Matlock, \*Smith, \*Kane, \*DeBerry, \*White M, \*Turner, \*Akbari, \*Moody, \*Fitzhugh, \*Hardaway.

Rep. Hawk moved that **House Joint Resolution No. 1088** be reset for the the Regular Calendar on April 18, 2018, which motion prevailed.

**\*House Joint Resolution No. 1089** -- General Assembly, Confirmation of Appointment - Confirms appointment of Sharon J. Pryse to UT board of trustees. by \*Casada, \*Hawk, \*Dunn, \*Brooks H, \*Matlock, \*Smith, \*Kane, \*Weaver, \*DeBerry, \*White M, \*Akbari, \*Lollar, \*Turner, \*Moody.

Rep. Hawk moved that **House Joint Resolution No. 1089** be reset for the the Regular Calendar on April 18, 2018, which motion prevailed.

**\*House Joint Resolution No. 1090** -- General Assembly, Confirmation of Appointment - Confirms appointment of William C. Rhodes III to UT board of trustees. by \*Casada, \*Hawk, \*Dunn, \*Brooks H, \*Matlock, \*Smith, \*Kane, \*White M, \*DeBerry, \*Akbari, \*Weaver, \*Turner, \*Moody.

Rep. Hawk moved that **House Joint Resolution No. 1090** be reset for the the Regular Calendar on April 18, 2018, which motion prevailed.

**\*House Joint Resolution No. 1091** -- General Assembly, Confirmation of Appointment - Confirms appointment of Donnie Smith to UT board of trustees. by \*Casada, \*Hawk, \*Marsh,

\*Dunn, \*Brooks H, \*Matlock, \*Smith, \*Kane, \*Weaver, \*DeBerry, \*White M, \*Turner, \*Akbari, \*Moody, \*Fitzhugh.

Rep. Hawk moved that **House Joint Resolution No. 1091** be reset for the the Regular Calendar on April 18, 2018, which motion prevailed.

**\*House Joint Resolution No. 1092** -- General Assembly, Confirmation of Appointment - Confirms appointment of Kim H. White to UT board of trustees. by \*Casada, \*Hawk, \*Favors, \*Dunn, \*Brooks H, \*Matlock, \*Smith, \*Kane, \*White M, \*DeBerry, \*Akbari, \*Weaver, \*Turner, \*Moody.

Rep. Hawk moved that **House Joint Resolution No. 1092** be reset for the the Regular Calendar on April 18, 2018, which motion prevailed.

**House Bill No. 1657** -- Sunset Laws - As introduced, extends the real estate commission for one year to June 30, 2019. - Amends TCA Title 4, Chapter 29, Part 2 and Title 62, Chapter 13. by \*Faison, \*Ragan. (\*SB1549 by \*Bell)

Further consideration of House Bill No. 1657, previously considered on the Consent Calendar for April 12, 2018 at which time it was objected to and was reset for the Regular Calendar on April 16, 2018.

On motion, House Bill No. 1657 was made to conform with **Senate Bill No. 1549**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 1549 be passed on third and final consideration.

Rep. Ragan moved adoption of House Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1549 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-239(a), is amended by deleting subdivision (34).

SECTION 2. Tennessee Code Annotated, Section 4-29-240(a), is amended by inserting the following as a new subdivision:

( ) Real estate commission, created by § 62-13-201;

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, House Amendment No. 1 was adopted.



**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. Faison moved that **Senate Bill No. 1549**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 95

A motion to reconsider was tabled.

**House Bill No. 1938** -- Political Parties - As introduced, prohibits a statewide political party or recognized minor party from adopting a party rule that would preclude an honorably discharged veteran from qualifying as a candidate for office based on the number of times the veteran voted during the previous three general elections. - Amends TCA Title 2, Chapter 13, Part 1. by \*Ragan, \*Reedy, \*Alexander, \*Moon, \*Camper, \*Favors, \*Calfee, \*Kumar. (\*SB1688 by \*Briggs, \*Bailey, \*Gresham, \*Harris)

Further consideration of House Bill No. 1938, previously considered on April 2, 2018, April 11, 2018 and April 12, 2018, at which time it was reset for the Regular Calendar on April 16, 2018.

On motion, House Bill No. 1938 was made to conform with **Senate Bill No. 1688**; the Senate Bill was substituted for the House Bill.

Rep. Ragan moved that Senate Bill No. 1688 be passed on third and final consideration.

Rep. Wirgau requested that Local Government Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Ragan moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Ragan requested that House Amendment No. 3 be placed at the heel of the amendments.

Rep. Casada moved adoption of House Amendment No. 4 as follows:

**Amendment No. 4**

AMEND Senate Bill No. 1688 by deleting the amendatory language of Section 2 and substituting instead the following:

(a) A person who is an honorably discharged veteran of the United States armed forces, a member of the Tennessee national guard, a member of the Tennessee air national guard, or an inactive reservist of any of the United States uniformed military services in good standing must not be disqualified as a candidate for any office if, for service-related reasons, that person was unable to comply with a statewide political party's or recognized minor party's rules for candidacy for nomination for such party, and such service-related reasons are the sole reason the person is unable to qualify.

(b) A statewide political party or recognized minor party may develop a process for reviewing a person's stated service-related reasons for being unable to comply with party rules for nomination and may remove the person from their primary election ballot, pursuant to § 2-5-204(a), if that statewide political party or recognized minor party has conclusive grounds to establish that good cause exists that the exemption in subsection (a) does not apply to that person.

On motion, House Amendment No. 4 was adopted.

Rep. Wirgau moved that Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ragan moved that House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Lollar moved the previous question, which motion prevailed by the following vote:

Ayes ..... 64  
Noes..... 28

Representatives voting aye were: Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Halford, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Sargent, Sexton C., Sherrell, Terry, Thompson, Travis, Vaughan, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 64

Representatives voting no were: Akbari, Alexander, Beck, Camper, DeBerry, Faison, Fitzhugh, Hardaway, Hill M., Jernigan, Jones, Miller, Mitchell, Parkinson, Pitts, Powell, Rogers, Rudd, Sanderson, Sexton J., Shaw, Sparks, Staples, Stewart, Tillis, Towns, Turner, Van Huss -- 28

Rep. Ragan moved that **Senate Bill No. 1688**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 90  
Noes..... 3  
Present and not voting..... 2

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel,

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 90

Representatives voting no were: Jones, Parkinson, Stewart -- 3

Representatives present and not voting were: Miller, Rudd -- 2

A motion to reconsider was tabled.

**\*House Bill No. 2377** -- State Symbols - As introduced, designates Knight Muzzleloader as official state muzzleloader. - Amends TCA Title 4, Chapter 1, Part 3. by \*Sexton J, \*Crawford, \*Lynn. (SB2602 by \*Bell)

Further consideration of House Bill No. 2377, previously considered on April 11, 2018, at which time the House adopted Amendment No. 1 and April 12, 2018 at which time it was reset for the Regular Calendar on April 16, 2018.

**BILL HELD ON DESK**

Rep. J. Sexton moved that **House Bill No. 2377** be held on the Clerk's desk, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 2324** -- Local Education Agencies - As introduced, changes the manner for which LEAs using the uniform grading system for lottery scholarship purposes, but another grading system based on quality points for other purposes, must award additional quality points for honors and other advanced courses. - Amends TCA Section 49-6-407. by \*Goins, \*Ragan. (SB2314 by \*Southerland)

Further consideration of House Bill No. 2324, previously considered on April 11, 2018, April 12, 2018 at which time it was reset for the next available Regular Calendar.

On motion, House Bill No. 2324 was made to conform with **Senate Bill No. 2314**; the Senate Bill was substituted for the House Bill.

Rep. Goins moved that **Senate Bill No. 2314** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, Daniel,  
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DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 96

A motion to reconsider was tabled.

**\*House Bill No. 2555** -- Fees - As introduced, requires that any proposed increase to an existing administrative fee that exceeds the lesser of 5 percent or the average annual rate of inflation for the immediately preceding calendar year be proposed in the form of a legislative bill or amendment to a legislative bill rather than an administrative rule. - Amends TCA Title 4; Title 62; Title 63; Title 68; Title 69 and Title 70. by \*Goins, \*White D, \*Faison, \*Littleton, \*Daniel, \*Terry, \*Ragan, \*Moody. (SB2715 by \*Bowling)

Further consideration of House Bill No. 2555, previously considered on April 11, 2018 and April 12, 2018 at which time it was reset for the Regular Calendar on April 16, 2018.

Rep. Goins moved that House Bill No. 2555 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2555 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 5, Part 2, is amended by adding the following new section:

(a) Notwithstanding any law to the contrary:

(1) Except as otherwise provided in this subdivision (a)(1), an agency shall not promulgate a rule that increases an existing administrative fee in an amount that exceeds the lesser of five percent (5%) of the fee or the average annual rate of inflation for the immediately preceding calendar year as calculated using the consumer price index published by the United States department of labor, bureau of labor statistics. If an agency does not increase a fee for a period in excess of one (1) year, for each calendar year in which the fee is not increased, the agency may promulgate a rule increasing the fee in an amount not to exceed the aggregate average annual rates of inflation for each preceding calendar year during which the fee was not increased by rule;

(2) An agency shall submit any proposed increase of an existing administrative fee in excess of the amount specified in subdivision (a)(1) as a

legislative bill or an amendment to a legislative bill for consideration by the general assembly; and

(3) Any administrative rule that proposes to increase an existing administrative fee in excess of the amount specified in subdivision (a)(1) and that is filed with the secretary of state is null and void.

(b) For each fee increased by rule in accordance with subdivision (a)(1), not less than thirty (30) days before the rule takes effect, the adopting agency shall submit a written or electronic report to each member of the general assembly that includes the following:

(1) The text of the proposed rule;

(2) The amount of the current fee and the amount of the proposed fee;

(3) A citation to the statutory authority for the fee;

(4) A detailed explanation of the need for the increase in the fee; and

(5) The current balance of the account or fund into which the fee is deposited and the ending balance of such account or fund for each of the last two (2) fiscal years.

(c) Nothing in this section may be construed to authorize the creation, establishment, or promulgation of a new administrative fee.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to all administrative rules filed with the secretary of state on or after July 1, 2018.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Goins moved that **House Bill No. 2555**, as amended, be passed on third and final consideration, which motion failed by the following vote:

Ayes .....	48
Noes.....	37
Present and not voting.....	7

Representatives voting aye were: Alexander, Boyd, Brooks H., Brooks K., Butt, Calfee, Casada, Daniel, Eldridge, Faison, Favors, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Hulsey, Kane, Kumar, Lamberth, Littleton, Lynn, Matlock, Miller, Moody, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton J., Sherrell, Sparks, Terry, Turner, Van Huss, Weaver, White D., Windle, Wirgau, Zachary, Madame Speaker Harwell -- 48

Representatives voting no were: Akbari, Beck, Byrd, Camper, Carr, Carter, Clemmons, Curcio, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Hazlewood, Holt, Howell, Johnson, Keisling, Marsh, McCormick, McDaniel, Mitchell, Parkinson, Pitts, Sexton C., Shaw, Smith, Staples, Stewart, Thompson, Tillis, Towns, Travis, Vaughan, White M., Whitson, Williams -- 37

Representatives present and not voting were: Cooper, DeBerry, Doss, Dunn, Jernigan, Moon, Ramsey -- 7

House Bill No. 2555 , having failed to receive a constitutional majority, was thereby re-referred to the Committee on Calendar and Rules.

### **REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 2555** and have this statement entered in the Journal: Rep. Lollar.

### **REGULAR CALENDAR, APRIL 16, 2018, CONTINUED**

**\*House Bill No. 2348** -- Controlled Substances - As introduced, requires a prescriber who prescribes more than a five-day supply of opioids to a non-pregnant fertile woman to inform the patient about the risk of fetal injury and neonatal abstinence syndrome in the event of pregnancy; encourages prescribers to recommend and assist with the implementation of birth control methods for such patients. - Amends TCA Title 53 and Title 63. by \*Williams, \*Harwell, \*Johnson, \*Sexton C, \*White M, \*Clemmons, \*Love, \*Staples, \*Gilmore. (SB2674 by \*Bailey)

Further consideration of House Bill No. 2348, previously considered on March 8, 2018, March 22, 2018, March 26, 2018, March 29, 2018 at which time it was Held on the Desk, April 11, 2018 and April 12, 2018 at which time it was reset for the Regular Calendar on April 16, 2018.

Rep. Williams moved that House Bill No. 2348 be passed on third and final consideration.

Rep. C. Sexton requested that Health Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Williams moved that House Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Williams moved adoption of House Amendment No. 3 as follows:

#### **Amendment No. 3**

AMEND House Bill No. 2348 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 53-11-308, is amended by adding the following as a new subsection:

(h)

(1) Prior to prescribing more than a three-day supply of an opioid or an opioid dosage that exceeds a total of a one hundred eighty (180) morphine milligram equivalent dose to a woman of childbearing age, a prescriber shall:

(A) Advise the patient of the risk associated with opioid use during pregnancy;

(B) Counsel the patient on appropriate and effective forms of birth control; and

(C) Offer information about the availability of free or reduced cost birth control to the patient.

(2) As used in this subsection (h) "a woman of childbearing age" means any woman between the ages of fifteen (15) and forty-four (44).

(3) This subsection (h) does not apply if:

(A) The prescriber has previously taken all actions required by subdivision (h)(1) with respect to the patient within the past three (3) months; or

(B) The prescriber reasonably believes that the patient is not capable of becoming pregnant.

(4) If the patient is under eighteen (18) years of age, the physician may satisfy this subsection (h) by advising, counseling, and providing information to the parent or guardian instead of the patient. This subdivision (h)(4) does not prohibit a physician from advising, counseling, and providing information directly to the patient if not otherwise prohibited by law.

(5) The department of health shall develop and publish guidance to assist prescribers of opioids in complying with this subsection (h).

SECTION 2. Tennessee Code Annotated, Section 53-11-401, is amended by deleting the period at the end of subdivision (b)(1) and substituting instead the following:

; and provided, further, that a person who fails to comply with § 53-11-308(h) is not guilty of a felony and shall be punishable only by a civil penalty assessed by the provider's licensing board and only in cases involving a pattern of willful failure to comply.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, House Amendment No. 3 was adopted.

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Williams moved that **House Bill No. 2348**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	97
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 97

A motion to reconsider was tabled.

**\*Senate Bill No. 1808** -- Juries and Jurors - As introduced, requires jury coordinator to prepare and send a list of persons disqualified or potentially disqualified from jury service to the administrator of elections. - Amends TCA Title 22, Chapter 1 and Title 22, Chapter 2. by \*Ketron. (HB1854 by \*Rudd, \*Moon)

Further consideration of Senate Bill No. 1808, previously considered on April 16, 2018, at which time the House substituted the Senate Bill for the House Bill, withdrew Amendment No. 1, and it was rolled to the Heel of the Regular Calendar on April 16, 2018.

Rep. Rudd moved that Senate Bill No. 1808 be passed on third and final consideration.

Rep. Powers moved the previous question, which motion prevailed by the following vote:

Ayes .....	63
Noes.....	25
Present and not voting.....	1

Representatives voting aye were: Alexander, Boyd, Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Crawford, Curcio, Daniel, Eldridge, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McDaniel, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Terry, Tillis, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary -- 63

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, DeBerry, Dunn, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Love, Mitchell, Parkinson, Pitts, Powell, Sanderson, Shaw, Staples, Stewart, Thompson, Towns, Turner -- 25

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Representatives present and not voting were: Doss -- 1

Rep. Rudd moved that **Senate Bill No. 1808** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	67
Noes.....	23
Present and not voting.....	1

Representatives voting aye were: Alexander, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Casada, Crawford, Curcio, Daniel, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sargent, Sexton C., Sexton J., Sherrell, Sparks, Terry, Tillis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 67

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, Doss, Favors, Fitzhugh, Gilmore, Hardaway, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Staples, Stewart, Thompson, Towns, Turner -- 23

Representatives present and not voting were: DeBerry -- 1

A motion to reconsider was tabled.

## **REGULAR CALENDAR**

**\*House Bill No. 2219** -- Health Care - As introduced, directs the commissioner of health to study issues related to healthcare access and healthcare status of populations affected by the implementation of Chapter 1043 of the Public Acts of 2016; the commissioner shall report the findings and any recommendations arising out of the study to the health committee of the house of representatives and the health and welfare committee of the senate on or before January 15, 2019. - Amends TCA Title 4; Title 7; Title 33; Title 53; Title 56; Title 63; Title 68 and Title 71. by \*Sexton C, \*Kumar, \*Terry, \*Whitson, \*Jernigan. (SB2362 by \*Crowe, \*Green, \*Massey, \*Haile, \*Reeves)

Rep. C. Sexton moved that **House Bill No. 2219** be reset for the the Regular Calendar on April 18, 2018, which motion prevailed.

**\*House Bill No. 630** -- Pharmacy, Pharmacists - As introduced, adds to definition of "device" in the Tennessee Pharmacy Practice Act of 1996 the requirement that a device be used to administer a prescription drug. - Amends TCA Title 63, Chapter 10. by \*Sexton C, \*Sargent, \*Kumar, \*White M. (SB1258 by \*Norris, \*Kelsey, \*Harris)

Rep. C. Sexton moved that House Bill No. 630 be passed on third and final consideration.

Rep. Terry moved adoption of Health Committee Amendment No. 1 as follows:

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**Amendment No. 1**

AMEND House Bill No. 630 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 10, Part 3, is amended by adding the following as a new section:

The board shall promulgate rules regarding the board's oversight of facilities that manufacture, warehouse, and distribute medical devices. The rulemaking process shall begin no later than September 1, 2018. The rulemaking process shall be in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and shall include the formation of an advisory committee, in accordance with § 4-5-205, composed of medical device industry representatives and a representative of the department of economic and community development. The rules promulgated pursuant to this section shall be reviewed every three (3) years for the purpose of reviewing the advancements of new medical device technologies.

SECTION 2. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Marsh moved the previous question, which motion prevailed.

Rep. C. Sexton moved that **House Bill No. 630**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 88  
Noes..... 3

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Turner, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 88

Representatives voting no were: Holt, Shaw, Stewart -- 3

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 630** and have this statement entered in the Journal: Rep. Van Huss.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 1732** -- Transportation, Dept. of - As introduced, authorizes the department to transfer its interest in right-of-way property that is initially appraised by the department at \$10,000 or less to a legal governmental entity at the appraised value without further appraisal or approval. - Amends TCA Title 4; Title 5; Title 6; Title 7 and Title 12, Chapter 2. by \*Sexton C. (SB2696 by \*Bailey, \*Gardenhire)

On motion, House Bill No. 1732 was made to conform with **Senate Bill No. 2696**; the Senate Bill was substituted for the House Bill.

Rep. C. Sexton moved that Senate Bill No. 2696 be passed on third and final consideration.

Rep. Doss moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2696 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 12-2-112(a)(8), is amended by adding the following new subdivision (D):

(D) Notwithstanding any law to the contrary, if the department of transportation's staff appraisal of a tract of surplus real property under subdivision (a)(8)(C)(ii) is equal to or less than ten thousand dollars (\$10,000), the department may transfer its interest in the property to any legal governmental body for the appraised value of the property, subject to the former owner's right of first refusal under subdivision (a)(8)(B), without further appraisal or approval under this section, except for the appraisal review provided in subdivision (a)(8)(C)(iv);

SECTION 2. Tennessee Code Annotated, Section 12-2-112(a)(8)(A), is amended by deleting the first sentence and substituting instead the following:

If the property was acquired by or for the use of the department of transportation for right-of-way, if its fair market value does not exceed seventy-five thousand dollars (\$75,000) or such amounts in excess of seventy-five thousand dollars (\$75,000) as may be approved by the state building commission, and if any adjoining property owner or the former owner of that property wishes to purchase the property, or if a legal governmental body wishes to acquire the property for a public use purpose under this subdivision (a)(8)(A) or subdivision (a)(8)(B), or if a legal governmental body wishes to acquire the

property for fair market value as provided in subdivision (a)(8)(D), then this subdivision (a)(8) shall apply, notwithstanding any other provision of this section.

SECTION 3. Tennessee Code Annotated, Section 12-2-112(a)(8)(B), is amended by deleting the fourth sentence and substituting instead the following:

If the former property owner relinquishes the owner's right or the right has expired, the property may be conveyed to a legal governmental body in accordance with subdivision (a)(8)(D) or to an adjoining property owner.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. C. Sexton moved that **Senate Bill No. 2696**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 94

A motion to reconsider was tabled.

**House Bill No. 2191** -- Alcoholic Beverages - As introduced, changes from February 1 to February 15 the date by which beer boards must file an annual statistical report with the alcoholic beverage commission. - Amends TCA Title 57. by \*Ramsey, \*Littleton. (\*SB1866 by \*Jackson)

On motion, House Bill No. 2191 was made to conform with **Senate Bill No. 1866**; the Senate Bill was substituted for the House Bill.

Rep. Ramsey moved that Senate Bill No. 1866 be passed on third and final consideration.

Rep. Sanderson moved adoption of State Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

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AMEND Senate Bill No. 1866 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-406(k)(1), is amended by adding the following as a new subdivision:

(G) Any delivery made by a delivery service is made only to the physical address indicated by the individual placing the delivery order. The delivery must be documented by a verification of the delivery signed by the recipient.

SECTION 2. Tennessee Code Annotated, Section 57-3-406(j), is amended by adding the following new subdivision:

(3) Any delivery made by a retailer pursuant to this subsection (j) must be made only to the physical address indicated by the individual placing the delivery order. The delivery must be documented by a verification of the delivery signed by the recipient.

SECTION 3. Tennessee Code Annotated, Section 57-3-217(h)(1), is amended by deleting the language "delivery of wine" and substituting instead the language "delivery of wine, beer, or other alcoholic beverages" and deleting the language "wine shipments" and substituting instead the language "wine, beer, or other alcoholic beverage shipments".

SECTION 4. Tennessee Code Annotated, Section 57-5-416, is amended by deleting the section and substituting instead the following:

In order to facilitate the effective collection and enforcement by municipal and county officials of the tax levied by § 57-6-103 on all sales of beer by wholesalers to retailers or any other persons, it shall be unlawful for any retailer to store beer purchased for a specific retail location at any place other than that specific retail location.

SECTION 5. Tennessee Code Annotated, Section 57-3-406(g), is amended by adding the following sentence to the end of the subsection:

No retailer may store any alcoholic beverages, wine, or beer at any location other than the licensed premises and the retailer shall not hold, store, or accept delivery of any products intended for another retailer.

SECTION 6. Tennessee Code Annotated, Section 57-1-103, is amended by deleting the section in its entirety and substituting instead the following:

(a) The three (3) members of the commission appointed by the governor must be appointed for terms concurrent with the term of the governor. In the event a vacancy occurs, the governor shall appoint a person to fill the vacancy for the unexpired term.

(b) The commissioners serve at the pleasure of the governor and are subject to removal by the governor at any time.

(c) Each member of the commission must receive five hundred dollars (\$500) for each meeting of the commission that the member attends. The members of the commission must likewise be reimbursed for their actual and necessary expenses incurred in connection with their official duties. All reimbursement for travel expenses must be in accordance with the comprehensive travel regulations as promulgated by the department of finance and administration and approved by the attorney general and reporter.

(d)

(1) A member of the commission who misses more than fifty percent (50%) of the scheduled meetings in a calendar year must be removed as a member of the commission.

(2) The chair of the commission shall promptly notify the governor of any member who fails to satisfy the attendance requirement as prescribed in subdivision (d)(1).

SECTION 7. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Ramsey moved that **Senate Bill No. 1866**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	91
Noes.....	2
Present and not voting.....	2

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 91

Representatives voting no were: Dunn, Hill M. -- 2

Representatives present and not voting were: Smith, Sparks -- 2

A motion to reconsider was tabled.

**House Bill No. 1794** -- Notary Public - As introduced, authorizes electronic acknowledgments and online notarizations for certain transactions. - Amends TCA Title 8 and Title 66. by \*Farmer, \*Carter. (\*SB1758 by \*Kelsey)

On motion, House Bill No. 1794 was made to conform with **Senate Bill No. 1758**; the Senate Bill was substituted for the House Bill.

Rep. Farmer moved that Senate Bill No. 1758 be passed on third and final consideration.

Rep. Moody moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved adoption of Government Operations Committee Amendment No. 1, as House Amendment No. 2, as follows:

**Amendment No. 2**

AMEND Senate Bill No. 1758 by deleting from the amendatory language in SECTION 3 the following:

notary public's signature by in ink by the notary's hand

and substituting instead the following:

notary public's signature in ink or by the notary's hand

On motion, Government Operations Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Farmer moved that **Senate Bill No. 1758**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 94

A motion to reconsider was tabled.

**House Bill No. 601** -- Taxes, Real Property - As introduced, eliminates the right of redemption for real property sold in a tax sale. - Amends TCA Title 7; Title 8; Title 21; Title 26; Title 35; Title 40; Title 66 and Title 67. by \*Williams. (\*SB492 by \*Bell)

Rep. Williams moved that House Bill No. 601 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 601 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 67-5-2102, is amended by adding the following language at the end of subsection (b):

Notwithstanding this subsection (b), the lien does not attach to an easement appurtenant upon property that is a servient estate or to an easement in gross that was assessed separately from the property by either the county assessor of property or the office of state assessed properties in the office of the comptroller of the treasury.

SECTION 2. This act shall take effect on becoming a law, the public welfare requiring it, and shall apply to property taxes that become delinquent on or after the effective date of this act.

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Powers moved the previous question, which motion prevailed.

Rep. Williams moved that **House Bill No. 601**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	93
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

A motion to reconsider was tabled.



**House Bill No. 132** -- Public Funds and Financing - As introduced, clarifies that the power of the Tennessee Local Development Authority to purchase bonds or notes under the Tennessee Local Development Authority Act is supplemental to other laws conferring that power; clarifies that professional services are not required to be based on competitive procurement methods; requires superintendents of correctional institutions to keep records of supplies electronically or in a well-bound book; clarifies that bonds are exempt from gift taxes imposed prior to January 1, 2012. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 12; Title 13; Title 41; Title 42; Title 49; Title 64; Title 68 and Title 69. by \*Johnson. (\*SB157 by \*Watson)

Rep. Johnson moved that House Bill No. 132 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 132 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 7, is amended by adding the following new section:

(a) This section shall be known, and may be cited as, the "Master Development Plan Recognition Act".

(b) The purpose of this section is to define those actions taken by a governmental entity that constitute contributions made by the governmental entity pursuant to a master development plan approved by the governmental entity for purposes of Section 118 of the Internal Revenue Code of 1986 (26 U.S.C. § 118), as amended by Pub. L. No. 115-97, § 13312.

(c) Contributions made by a governmental entity pursuant to a master development plan approved by the governmental entity within the meaning of Section 118 of the Internal Revenue Code of 1986 (26 U.S.C. § 118), as amended by Pub. L. No. 115-97, § 13312, include, but are not limited to, the following:

(1) Grants approved by the commissioner of economic and community development, including grants authorized or otherwise referenced in this part, regardless of whether the grants are also approved by any other agency, board, or other office of state government, and regardless when the funding in connection with the grant is authorized or paid, or both;

(2) Grants approved by an authorized representative of any county or municipality within the state of Tennessee or any agency of, or entity created by, the county or municipality, whether the funding for the

grants originates in whole or in part with the state of Tennessee or with the county or municipality, including, but not limited to, grants that are authorized by, or referenced in, this part, and regardless of when the funding in connection with the grant is authorized or paid, or both;

(3) Tax increment financing applications for which a letter, or final, preliminary, or conditional approval, has been issued by an appropriate representative of state, county, or municipal government, and regardless of when the funding in connection with the tax increment financing application is authorized or paid, or both; and

(4) Any other development plan, redevelopment plan, revitalization plan, or similar plan approved by an appropriate representative of state, county, or municipal government, and regardless of when the funding in connection with the plan is authorized or paid, or both.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Johnson moved that **House Bill No. 132**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	91
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 91

A motion to reconsider was tabled.

**House Bill No. 1848** -- Hospitals and Health Care Facilities - As introduced, requires the bureau of TennCare to provide prior notice to the chairs of the health committee of the house of representatives and the health and welfare committee of the senate before making pro rata reductions in payments from the nursing home assessment trust fund. - Amends TCA Title 68 and Title 71. by \*Johnson. (\*SB1781 by \*Crowe, \*Massey, \*Yager)

On motion, House Bill No. 1848 was made to conform with **Senate Bill No. 1781**; the Senate Bill was substituted for the House Bill.

Rep. Johnson moved that Senate Bill No. 1781 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. C. Sexton moved that Health Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Johnson moved that **Senate Bill No. 1781** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 89  
Noes ..... 2

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madame Speaker Harwell -- 89

Representatives voting no were: Lynn, Windle -- 2

A motion to reconsider was tabled.

**\*House Bill No. 2280** -- Beer - As introduced, authorizes Montgomery County to control the issuance, revocation, and suspension of licenses for the storage, sale, manufacture, and distribution of beer within a park owned by the county that is in the municipal boundaries of Clarksville. - Amends TCA Title 57, Chapter 5. by \*Johnson. (SB2331 by \*Green)

On motion, House Bill No. 2280 was made to conform with **Senate Bill No. 2331**; the Senate Bill was substituted for the House Bill.

Rep. Johnson moved that Senate Bill No. 2331 be passed on third and final consideration.

Rep. Wirgau moved adoption of Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2331 by adding the following as a new section immediately preceding the effective date section and redesignating the effective date section accordingly:

SECTION \_\_. Tennessee Code Annotated, Section 57-5-103(a)(2), is amended by deleting the language "or governmental entity" and substituting instead the language "or local governmental entity".

On motion, Local Government Committee Amendment No. 1 was adopted.

Rep. Johnson moved that **Senate Bill No. 2331**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	80
Noes.....	7
Present and not voting.....	9

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks K., Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulse, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Marsh, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Wirgau, Madame Speaker Harwell -- 80

Representatives voting no were: Brooks H., Dunn, Holt, Lynn, Matlock, Sexton J., Zachary -- 7

Representatives present and not voting were: Butt, Byrd, Cooper, Powers, Rudd, Sherrell, Smith, Sparks, Windle -- 9

A motion to reconsider was tabled.

**\*House Bill No. 2321** -- Medical Occupations - As introduced, enacts the "Tennessee Ultrasound Sonographer Practice Act." - Amends TCA Title 4, Chapter 29, Part 2; Title 63 and Title 68. by \*Sargent. (SB2498 by \*Johnson)

Rep. Sargent moved that House Bill No. 2321 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2321 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following as a new section:

Any person practicing ultrasound sonography in a nonclinical 3D/4D ultrasound boutique setting, as defined by the commissioner of health by rule pursuant to § 68-1-103(a), in this state shall be at least eighteen (18) years of age and shall be in compliance with the following requirements:

(1) Earn a minimum of a technical certificate from a sonography program accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or Canadian Medical Association (CMA); and

(2)

(A) Be currently certified by the American Registry for Diagnostic Medical Sonography (ARDMS) in the specialty in which they are currently practicing;

(B) Be currently certified by the American Registry of Radiologic Technologists (ARRT) in sonography;

(C) Be in the process of applying for registration with the ARDMS, provided that the applicant satisfies the requirements for registration within ninety (90) days of becoming employed as a sonographer; or

(D) Be in the process of applying for registration with the ARRT, provided that the applicant satisfies the requirements for registration within ninety (90) days of becoming employed as a sonographer.

SECTION 2. This act shall take effect January 1, 2019, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. Sargent moved that **House Bill No. 2321**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes ..... 1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 95

Representatives voting no were: Powell -- 1

A motion to reconsider was tabled.

**\*House Bill No. 1772** -- Liens - As introduced, creates a streamlined process for certain public officials to contest liens on real property that they believe to lack any legal basis. - Amends TCA Section 47-9-513 and Title 66, Chapter 21, Part 1. by \*Dunn, \*Daniel. (SB1971 by \*Massey)

On motion, House Bill No. 1772 was made to conform with **Senate Bill No. 1971**; the Senate Bill was substituted for the House Bill.

Rep. Dunn moved that Senate Bill No. 1971 be passed on third and final consideration.

Rep. Farmer moved that Civil Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Dunn moved that **Senate Bill No. 1971** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 97

A motion to reconsider was tabled.

**\*House Bill No. 1698** -- DUI Offenses - As introduced, requires that person convicted of DUI forfeit privilege to purchase alcohol for period of time based upon prior DUI convictions with lifetime forfeiture for third conviction; establishes new driver license format for person subject to alcohol purchase restriction; creates new Class C misdemeanor offense for unlawful purchase of alcohol by DUI offender or knowing sale of alcohol to person subject to alcohol purchase restriction. - Amends TCA Title 39, Chapter 17, Part 7; Title 40; Title 55 and Title 57. by \*Hulsey, \*Lamberth, \*Sherrell. (SB1784 by \*Niceley, \*Crowe)

Rep. Hulsey moved that House Bill No. 1698 be passed on third and final consideration.

Rep. Lamberth moved that Criminal Justice Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

4301

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**Amendment No. 2**

AMEND House Bill No. 1698 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 10, Part 4, is amended by adding the following as a new section:

**55-10-426.**

(a) In addition to the penalties imposed by §§ 55-10-402, 55-10-403, and 55-10-404, a person convicted of violating § 55-10-401 forfeits the privilege to purchase alcoholic beverages in this state for the following periods:

(1) One (1) year from the date of the first issuance of any driver license, including a restricted driver license, after the conviction for a first offense;

(2) Two (2) years from the date of the first issuance of any driver license, including a restricted driver license, after the conviction for a second offense;

(3) Six (6) years from the date of the first issuance of any driver license, including a restricted driver license, after the conviction for a third offense; or

(4) Eight (8) years from the date of the first issuance of any driver license, including a restricted driver license, after the conviction for a fourth or subsequent offense.

(b) Any driver license, including a restricted driver license, issued to a person under this section shall be issued in compliance with § 55-50-307.

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 50, Part 3, is amended by adding the following as a new section:

**55-50-307.**

(a) If a licensee has forfeited the privilege to purchase alcoholic beverages in this state pursuant to § 55-10-426, any driver license, including any restricted driver license, issued during the period of the forfeiture must:

(1) Bear the language "No Alcohol Sale"; and

(2) Contain other secure features identifying the licensee as being restricted from purchasing alcoholic beverages, including, but not limited to, a prominent red stripe on the front of the driver license.

(b) Upon expiration of the period of forfeiture, the licensee may obtain a driver license without the language or other features required under subsection (a) by paying the fee for a duplicate driver license. However, no person shall be required to obtain such driver license until the driver license expires.

(c) In addition to any other driver license reinstatement fee imposed for violations of § 55-10-401, a person issued a driver license under subsection (a) shall be required to pay an additional reinstatement fee of fifteen dollars (\$15.00).

SECTION 3. Tennessee Code Annotated, Title 39, Chapter 17, Part 7, is amended by adding the following as a new section:

(a) Notwithstanding any law to the contrary, it is an offense for a person to purchase an alcoholic beverage if the person has forfeited the privilege pursuant to § 55-10-401.

(b) A violation of this section is a Class C misdemeanor.

SECTION 4. Tennessee Code Annotated, Section 55-10-409(c)(2), is amended by deleting the language "a fee of sixty-five dollars (\$65.00)" and substituting instead the language "a fee of eighty-five dollars (\$85.00)".

SECTION 5. Tennessee Code Annotated, Section 55-10-409(c)(2), is amended by deleting the language "a fee of eighty-five dollars (\$85.00)" and substituting instead the language "a fee of sixty-five dollars (\$65.00)".

SECTION 6. Tennessee Code Annotated, Section 55-10-410(a), is amended by adding the following as a new subdivision:

( ) Prohibition on the consumption of alcohol;

SECTION 7. Sections 4 and 6 of this act shall take effect January 1, 2019, the public welfare requiring it. All other sections of this act shall take effect January 1, 2020, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Ragan moved the previous question, which motion prevailed.

Rep. Hulsey moved that **House Bill No. 1698**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
Noes..... 2

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey,



**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

Representatives voting no were: Cooper, Towns -- 2

A motion to reconsider was tabled.

**House Bill No. 2136** -- Utilities, Utility Districts - As introduced, authorizes the board of commissioners of any utility district in Sullivan County to increase the pay for each commissioner per meeting from \$300 to \$350 by resolution of the board. - Amends TCA Title 7, Chapter 82. by \*Hill T. (\*SB2043 by \*Lundberg)

On motion, House Bill No. 2136 was made to conform with **Senate Bill No. 2043**; the Senate Bill was substituted for the House Bill.

Rep. T. Hill moved that Senate Bill No. 2043 be passed on third and final consideration.

Rep. Marsh moved that Business and Utilities Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. T. Hill moved that **Senate Bill No. 2043** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	89
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Staples, Stewart, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 89

Representatives present and not voting were: Sparks -- 1

A motion to reconsider was tabled.

**\*House Bill No. 2138** -- Capitol - As introduced, directs the state capitol commission, subject to funding from nonstate sources, to place a POW-MIA Chair of Honor on the capitol grounds. by \*Hill T, \*Brooks K. (SB2159 by \*Bell, \*Stevens, \*Bailey, \*Bowling, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Gresham, \*Haile, \*Harris, \*Hensley, \*Jackson, \*Johnson, \*Kelsey,

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

\*Ketrone, \*Massey, \*Niceley, \*Norris, \*Pody, \*Reeves, \*Roberts, \*Southerland, \*Swann, \*Tate, \*Watson, \*Yager, \*Yarbro, \*McNally)

On motion, House Bill No. 2138 was made to conform with **Senate Bill No. 2159**; the Senate Bill was substituted for the House Bill.

Rep. T. Hill moved that Senate Bill No. 2159 be passed on third and final consideration.

Rep. Ramsey moved that State Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. T. Hill moved that **Senate Bill No. 2159** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 97  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 97

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Casada moved that the rules be suspended in order to allow **House Bill No. 2725** to be heard in the Local Government Committee today, which motion prevailed.

**RECESS MOTION**

Rep. Casada moved that the House stand in recess until 3:00 p.m., which motion prevailed.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Madam Speaker Harwell.

**ROLL CALL DISPENSED**

On motion of Rep. Casada the roll call was dispensed with.

4305

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REGULAR CALENDAR, CONTINUED

**House Bill No. 2549** -- Education - As introduced, allows the energy efficient schools council to award grants or loans for energy efficient capital outlay projects to charter schools and the achievement school district in addition to LEAs. - Amends TCA Title 49, Chapter 17 and Section 49-4-940. by \*White D. (\*SB1765 by \*Harris)

On motion, House Bill No. 2549 was made to conform with **Senate Bill No. 1765**; the Senate Bill was substituted for the House Bill.

Rep. D. White moved that **Senate Bill No. 1765** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 85  
Noes..... 0

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Wirgau, Zachary, Madame Speaker Harwell -- 85

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "present and not voting" on **Senate Bill No. 1765** and have this statement entered in the Journal: Rep. Gilmore.

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "aye" to "no" on **Senate Bill No. 1765** and have this statement entered in the Journal: Reps. Favors and Shaw.

REGULAR CALENDAR, CONTINUED

**\*House Bill No. 2550** -- Firearms and Ammunition - As introduced, requires the state board of education to develop academic standards for a firearm education course to be offered as an elective for high school students; course to include history, mathematics, and science related to firearms and to include firearm safety education, but no use or presence of live ammunition. - Amends TCA Title 49, Chapter 6. by \*White D, \*Goins, \*Kumar, \*Moody. (SB2609 by \*Gresham, \*Bell, \*Bowling, \*Bailey)

Rep. D. White moved that House Bill No. 2550 be passed on third and final consideration.

Rep. Forgety moved that Education Instruction & Programs Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. K. Brooks moved adoption of Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

**Amendment No. 2**

AMEND House Bill No. 2550 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 10, is amended by adding the following language as a new section:

An LEA may offer a noncompulsory gun safety class or program for students in elementary school. If an LEA offers a gun safety class or program, then the LEA may incorporate, in the class or program, the rules and principles of gun safety developed by an organization specializing in firearms training and safety that the local board of education finds appropriate to incorporate. The course of instruction shall not permit the use or presence of live ammunition or live fire.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Byrd moved the previous question, which motion prevailed by the following vote:

Ayes .....	65
Noes.....	24

Representatives voting aye were: Alexander, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Coley, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Sparks, Terry, Tillis, Travis, Vaughan, Weaver, White D., White M., Windle, Wirgau, Zachary, Madame Speaker Harwell -- 65

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, DeBerry, Faison, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Staples, Stewart, Thompson, Towns, Turner -- 24

Rep. D. White moved that **House Bill No. 2550**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 67  
Noes..... 21  
Present and not voting..... 2

Representatives voting aye were: Alexander, Boyd, Brooks K., Butt, Byrd, Calfee, Carr, Casada, Coley, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Goins, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Terry, Tillis, Travis, Weaver, White D., White M., Windle, Wirgau, Zachary, Madame Speaker Harwell -- 67

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, Favors, Fitzhugh, Gilmore, Hardaway, Jernigan, Jones, Miller, Mitchell, Parkinson, Pitts, Powell, Staples, Stewart, Thompson, Towns, Turner -- 21

Representatives present and not voting were: DeBerry, Vaughan -- 2

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "not voting" to "aye" on **House Bill No. 2550** and have this statement entered in the Journal: Rep. Van Huss.

#### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 2020** -- Hospitals and Health Care Facilities - As introduced, exempts certain records relating to the oversight of a cooperative agreement governed by certificate of public advantage from being public records. - Amends TCA Title 10, Chapter 7 and Title 68, Chapter 11, Part 13. by \*Hicks. (SB2048 by \*Crowe)

On motion, House Bill No. 2020 was made to conform with **Senate Bill No. 2048**; the Senate Bill was substituted for the House Bill.

Rep. Hicks moved that Senate Bill No. 2048 be passed on third and final consideration.

Rep. C. Sexton moved that Health Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Hicks moved that **Senate Bill No. 2048** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
Noes..... 1

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

Representatives voting no were: Daniel -- 1

A motion to reconsider was tabled.

**House Bill No. 1565** -- Boards and Commissions - As introduced, creates appointment process for vacant citizen member positions on the Tennessee peace officer standards and training commission. - Amends TCA Title 4 and Title 38, Chapter 8, Part 1. by \*Howell. (\*SB1583 by \*Bell)

Rep. Howell moved that **House Bill No. 1565** be reset for the the Regular Calendar on April 24, 2018, which motion prevailed.

**House Bill No. 2256** -- Criminal Offenses - As introduced, adds assessing the presence of other obstructions for the purpose of maintaining clearances of utility easements as a lawful capture of an image using an unmanned aircraft. - Amends TCA Title 39 and Title 40. by \*Curcio, \*Whitson, \*VanHuss. (\*SB1993 by \*Johnson)

Rep. Curcio moved that **House Bill No. 2256** be reset for the the Regular Calendar on April 18, 2018, which motion prevailed.

**\*House Joint Resolution No. 1021** -- General Assembly, Confirmation of Appointment - David F. Jones, Tennessee Public Utility Commission. by \*Harwell, \*Marsh.

Rep. Marsh moved adoption of **House Joint Resolution No. 1021**, which motion prevailed by the following vote:

Ayes .....	95
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner,

Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 95

A motion to reconsider was tabled.

**\*House Joint Resolution No. 1022** -- General Assembly, Confirmation of Appointment - John Hie, Tennessee Public Utility Commission. by \*Harwell, \*Marsh.

Rep. Marsh moved adoption of **House Joint Resolution No. 1022**, which motion prevailed by the following vote:

Ayes ..... 93  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

A motion to reconsider was tabled.

**\*House Bill No. 447** -- Alcoholic Beverages - As introduced, makes ineligible for a certain defense to prosecution a person charged with criminal trespass at a licensed retail package store. - Amends TCA Title 57, Chapter 2; Title 57, Chapter 3 and Title 57, Chapter 4. by \*Sargent, \*Curcio. (SB793 by \*Dickerson)

Rep. Sargent moved that House Bill No. 447 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 447 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-3-202(i), is amended by adding the following new subdivision (5):

(5) Samples served and alcoholic beverages sold for consumption on the premises of a distillery in accordance with this subsection (i) are not subject to the tax imposed by § 57-4-301(c).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Sargent moved that **House Bill No. 447**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	68
Noes.....	19
Present and not voting.....	6

Representatives voting aye were: Alexander, Beck, Boyd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Holsclaw, Howell, Hulsey, Jernigan, Johnson, Kane, Kumar, Lamberth, Littleton, Lynn, Marsh, McCormick, McDaniel, Miller, Mitchell, Moon, Pitts, Powell, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Shaw, Staples, Terry, Thompson, Tillis, Towns, Travis, Turner, Vaughan, Weaver, Whitson, Williams, Wirgau, Madame Speaker Harwell -- 68

Representatives voting no were: Akbari, Brooks H., Brooks K., Butt, Byrd, Dunn, Hill M., Hill T., Holt, Keisling, Lollar, Matlock, Moody, Sexton J., Van Huss, White D., White M., Windle, Zachary -- 19

Representatives present and not voting were: DeBerry, Powers, Rudd, Sherrell, Smith, Sparks -- 6

A motion to reconsider was tabled.

**\*House Joint Resolution No. 738** -- General Assembly, Confirmation of Appointment - Randle Fenimore, State Textbook and Instructional Materials Quality Commission. by \*Harwell, \*McDaniel.

On motion, **Senate Joint Resolution No. 552** was substituted for House Joint Resoltuion No. 738.

Rep. McDaniel moved the House concur in **Senate Joint Resolution No. 552**, which motion prevailed by the following vote:

Ayes .....	94
Noes.....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C.,



**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 94

A motion to reconsider was tabled.

**\*House Bill No. 1953** -- Sunset Laws - As introduced, extends the University of Tennessee, board of trustees for one year to June 30, 2019. - Amends TCA Title 4, Chapter 29, Part 2 and Title 49, Chapter 9. by \*Faison, \*Ragan. (SB2149 by \*Bell)

Rep. Faison moved that **House Bill No. 1953** be reset for the the Regular Calendar on April 19, 2018, which motion prevailed.

**House Bill No. 2329** -- Sunset Laws - As introduced, imposes deadline by which beauty pageant operators must refund pageant entrants' fees when such pageants are canceled or otherwise do not take place. - Amends TCA Title 4, Chapter 29, Part 2; Title 47, Chapter 18, Part 2 and Section 67-6-330. by \*Faison. (\*SB1732 by \*Bell)

On motion, House Bill No. 2329 was made to conform with **Senate Bill No. 1732**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 1732 be passed on third and final consideration.

Rep. Ragan moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Faison moved that **Senate Bill No. 1732** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 95

A motion to reconsider was tabled.

**House Bill No. 2213** -- Public Records - As introduced, makes confidential the records of any food-based business incubation service provider created by a municipality. - Amends TCA Section 10-7-504. by \*Holsclaw. (\*SB2049 by \*Crowe)

4312

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On motion, House Bill No. 2213 was made to conform with **Senate Bill No. 2049**; the Senate Bill was substituted for the House Bill.

Rep. Holsclaw moved that Senate Bill No. 2049 be passed on third and final consideration.

Rep. Ramsey moved adoption of State Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2049 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 10-7-504(a), is amended by adding the following as a new subdivision (30):

(A) Proprietary information, trade secrets, and marketing information submitted to any food-based business incubation service provider created by a municipality shall be treated as confidential and shall not be open for inspection by members of the public.

(B) As used in this subdivision (a)(30):

(i) "Proprietary information":

(a) Means commercial or financial information that is used either directly or indirectly in the business of any person or company submitting information to a food-based business incubation service provider, and that gives such person or company an advantage or an opportunity to obtain an advantage over competitors who do not know or use such information; and

(b) Does not include lease agreements with the incubation service provider, the identity of businesses or persons using the incubation service provider's services, amounts paid to the incubation service provider by businesses or persons for use of facilities or for other services, or financial records of the incubation service provider;

(ii) "Trade secret" means a manufacturing process, materials used therein, and costs associated with the manufacturing process of any person or company submitting information to a food-based business incubation service provider; and

(iii) "Marketing information" means marketing studies, marketing analyses, and similar research and information designed to identify potential customers and business relationships.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, State Government Committee Amendment No. 1 was adopted.

Rep. Holsclaw moved that **Senate Bill No. 2049**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 91  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Parkinson, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 91

A motion to reconsider was tabled.

**\*House Bill No. 2624** -- Human Rights - As introduced, confers upon the Tennessee human rights commission the duty to notify the appropriate district attorney general if during the course of an investigation there is reasonable cause to believe that a violation of § 39-17-309, involving civil rights intimidation, has occurred. - Amends TCA Title 3; Title 4 and Title 62. by \*Turner, \*Goins, \*Rudd, \*Hardaway, \*Favors, \*Parkinson, \*Camper, \*Coley. (SB2631 by \*Norris)

Rep. Turner moved that House Bill No. 2624 be passed on third and final consideration.

Rep. Farmer moved adoption of Civil Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2624 by deleting all language after the caption and substituting instead the following:

WHEREAS, in enacting the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016 (Public Law No. 114-325), Congress expressed its sense that all authorities with jurisdiction over unsolved civil rights crimes should meet regularly with civil rights organizations, institutions of higher education, and department of justice-designated entities to coordinate information sharing and discuss the status of work in this area; and

WHEREAS, an article in *Politico* noted, "Almost all of the civil rights cold cases that have been resolved in the last forty (40) years owe that resolution to the efforts of reporters, investigative journalists, and local prosecutors"; and

WHEREAS, Tennessee is in need of a central repository to gather, store, refer, and coordinate efforts presently ongoing in the private sector and institutions of higher education; now, therefore,

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 3, is amended by adding the following as a new chapter:

**3-19-101.**

(a) On the effective date of this act, the office of minority affairs created by Senate Joint Resolution No. 61 of the Public Acts of 1981, shall become administratively attached to the office of secretary of state. Created within the office of minority affairs is the "Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center".

(b) In addition to performing the functions of the office of minority affairs, the Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center shall serve as a civil rights crimes remembrance and reconciliation repository, function as an informational clearinghouse on unsolved civil rights crimes and cold cases in this state, and coordinate volunteer activities throughout the state pertinent to the mission and duties of the center.

(c) The staff of the office of minority affairs shall also serve as staff for the Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center. Additional staff may be added in accordance with the same employment procedures and budgetary considerations as are in force and effect in the office of secretary of state. The duties of the center shall include:

(1)

(A) Conducting a statewide survey of civil rights crimes in Tennessee, both solved and unsolved, by utilizing available volunteer resources. In designating volunteers and volunteer coordinators to conduct the survey, the director shall utilize the services of public and private sector institutions, including, but not limited to, the various Tennessee schools of law, universities and colleges, including the historically black universities and colleges such as Lemoyne-Owen, Lane, Fisk, Meharry, and Tennessee State, as well as private sector groups such as Tennesseans for Historical Justice.

(B) The director shall have the authority to design and distribute the survey to the volunteer coordinators to ensure to the extent possible that the results will be uniform from county to county, designate volunteers and volunteer coordinators in participating geographic areas, act as a central coordinator to prevent duplicative and inconsistent results, catalogue and

compile the results of the survey, and transmit the results of the survey in the report required by subdivision (c)(9);

(2) Determining if any information submitted in the survey described in subdivision (c)(1), or by any other method the director acquires information, may still be subject to possible criminal prosecution and transferring any such information to the appropriate state and local law enforcement agencies, district attorneys general, and federal United States attorneys general with jurisdiction for the locations involved;

(3) Communicating, discussing, and meeting with the department of justice as suggested by Congress in the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016 to coordinate activities surrounding unsolved civil rights crimes and cold cases believed to have occurred in this state;

(4) Collecting and maintaining, within the center, pertinent information on pending conferences, workshops, public hearings, remembrance and reconciliation events, information on the ten (10) Tennessee stops on the new Civil Rights Trail, information on the activities surrounding the fiftieth anniversary of the Dr. Martin Luther King assassination, and other meetings concerning unsolved civil rights crimes and cold cases occurring in this state;

(5) Coordinating with the state archivist to determine if any material, information, report, or other document received by the Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center is of historical significance and possesses the indicia of authenticity necessary to consider its transfer to the state library and archives for permanent display and storage;

(6) Assisting the public and federal, state, and local government entities with inquiries regarding information on unsolved civil rights crimes and cold cases in this state;

(7) Initiating and participating in any reconciliation actions, meetings, ceremonies, services, and other similar activities on behalf of the state of Tennessee;

(8) Researching, seeking, and applying for any available funding or grants from the federal government or the private sector awarded for any of the purposes of the Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center; and

(9) Submitting a report by January 30th, 2019, and each January 30th thereafter, to the speaker of the senate and the speaker of the house of representatives, the senate judiciary committee, and the house of representatives criminal justice committee of the general assembly detailing the activities of the Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center since the effective date of this act.

**3-19-102.**

(a) The Tennessee Civil Rights Crimes Information, Reconciliation, and Research Center shall obtain and operate a website and a toll-free telephone line for the express purpose of receiving information related to unsolved civil right crimes and cold cases in this state.

(b) The Center shall regularly undertake appropriate activities to inform and remind the citizens of this state of the services provided by the Center and of the availability of the website and toll-free telephone line. Such promotional activities shall regularly include, but not necessarily be limited to, press releases, posters, speeches, and public service announcements on radio and television. The Center shall undertake special activities to improve public awareness of the Center within those counties and areas of the state with the highest numbers of unsolved civil rights crimes and cold cases based upon available information.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Civil Justice Committee Amendment No. 1 was adopted.

Rep. Turner moved that **House Bill No. 2624**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	85
Noes.....	0
Present and not voting.....	7

Representatives voting aye were: Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Keisling, Kumar, Lamberth, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 85

Representatives present and not voting were: Akbari, Byrd, Camper, Daniel, DeBerry, Gilmore, Littleton -- 7

A motion to reconsider was tabled.

**\*House Bill No. 1857** -- Pharmacy, Pharmacists - As introduced, requires any person operating in this state as a pharmacy benefits manager to be licensed by the department of commerce and insurance prior to operating. - Amends TCA Title 56, Chapter 6, Part 4 and Title 56, Chapter 7, Part 31. by \*Powers, \*Matlock, \*Keisling, \*Weaver, \*Calfee. (SB1852 by \*Haile, \*Crowe, \*Bell, \*Yager, \*Jackson, \*Reeves)

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

On motion, House Bill No. 1857 was made to conform with **Senate Bill No. 1852**; the Senate Bill was substituted for the House Bill.

Rep. Powers moved that Senate Bill No. 1852 be passed on third and final consideration.

Rep. Travis moved that Insurance and Banking Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Powers moved that **Senate Bill No. 1852** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 90  
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Windle, Wirgau, Zachary -- 90

Representatives voting no were: Daniel -- 1

A motion to reconsider was tabled.

**\*House Bill No. 2384** -- Taxes - As introduced, urges department of revenue, in consultation with department of tourist development, to study annual amounts of revenue from sales taxes and liquor-by-the-drink taxes generated over last five years from professional sporting events; requires department to submit its findings and recommendations within 90 days from conclusion of study to finance, ways and means committees of house of representatives and senate. - Amends TCA Title 4; Title 5; Title 6; Title 7; Title 9; Title 11; Title 57 and Title 67. by \*Crawford. (SB2380 by \*Lundberg)

Rep. Crawford moved that House Bill No. 2384 be passed on third and final consideration.

Rep. K. Brooks moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2384 by deleting all language after the caption and substituting instead the following:

WHEREAS, the State of Tennessee is home to a wealth of natural beauty, historical sites, attractions, restaurants, resorts, museums, theme parks, music events and festivals, and sports and entertainment venues that attract visitors from all over the world; and

WHEREAS, the General Assembly recognizes the significant benefits of tourism in the State through economic impact, job creation, and increased sales tax collections from visitors from outside of the State; and

WHEREAS, the General Assembly desires to encourage more visitors to enjoy the beauty and hospitality of the State by encouraging the creation and enhancement of events at various sites around the State; and

WHEREAS, the General Assembly recognizes that development of new events and enhancement of existing events often requires significant resources, which may deter event venues from exploring new events or expanding existing events; and

WHEREAS, the General Assembly desires to create a mechanism by which a sponsoring county or municipality and event venue may receive reimbursement for certain event-related expenses out of the sales tax revenues generated in connection with a qualified event; now, therefore,

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:**

SECTION 1. Tennessee Code Annotated, Title 67, Chapter 6, Part 1, is amended by adding the following as a new section:

(a) This section shall be known and may be cited as the "Event Tourism Act."

(b) As used in this section:

(1) "Department" means the department of finance and administration;

(2) "Endorsing local authority" means a county or municipality that contains a site suitable for hosting an event;

(3) "Event":

(A) Means an event:

(i) Organized by a site selection organization or a sanctioning body;

(ii) For which the site is determined through a competitive selection process that includes consideration of one (1) or more sites that are not located in this state; or



(iii) That is a new or non-annual event not exceeding two (2) years; and

(B) Includes any activities related to or associated with an event;

(4) "Event period" means a period of time in which the department determines there is a reasonable likelihood of measurable economic impact directly attributable to the preparation for and presentation of the event;

(5) "Event revenue" means the revenue generated from collection of state sales and use taxes, pursuant to this chapter, and from the privilege tax imposed on the sale of alcoholic beverages for consumption on the premises pursuant to § 57-4-301(c), from all businesses at an event venue for the event period;

(6) "Event venue" means the facility or facilities where an event will take place;

(7) "Event venue host" means a person, corporation, limited liability company, association, governmental entity, or other entity that owns or operates a facility suitable for hosting an event that enters into an agreement with a local organizing committee to host an event at the facility;

(8) "Fund" means the event tourism fund established by this section;

(9) "Local organizing committee" means a nonprofit corporation that:

(A)

(i) Has been authorized to pursue an application to a site selection organization or a sanctioning body for selection as the site of an event by an endorsing local authority or multiple local endorsing authorities acting collectively;

(ii) Has executed an agreement with a site selection organization or a sanctioning body regarding a bid to host an event with the authorization of an endorsing local authority or multiple endorsing local authorities acting collectively; or

(iii) Has created a new event or secured a non-guaranteed event with the authorization of an endorsing

local authority or multiple endorsing local authorities acting collectively; and

(B) Is governed by a board of at least three (3) members, of whom:

(i) One (1) or more is a representative of a business, which may be for-profit or not-for-profit, that is qualified to do business in the state;

(ii) One (1) or more is a local elected official; and

(iii) One (1) or more is a representative from a nonprofit entity that promotes tourism in the local area, such as a convention and visitor's bureau, chamber of commerce, or destination marketing organization;

(10) "Qualified expense":

(A) Means any expense of a local organizing committee, endorsing local authority, or event venue host directly related to the event and approved by the department;

(B) Includes the following, if approved by the department:

(i) Reasonable labor and equipment costs directly related to the event beyond the scope of normal employment;

(ii) Reasonable costs related to improvements or renovations to existing facilities in preparation for the event; and

(iii) Reasonable costs related to acquisition or construction of new facilities for the event; and

(C) Does not include usual and customary maintenance of a facility; and

(11) "State building commission" means the state building commission created by § 4-15-101.

(c)

(1) There is created the event tourism fund. Moneys deposited in the event tourism fund shall be expended in accordance with this section. Any unencumbered funds and any unexpended balance of the fund remaining at the end of any fiscal year shall not revert to the general fund,

but shall be carried forward until expended in accordance with this section.

(2) No payment shall be made from the event tourism fund unless authorized by the department.

(d) A local organizing committee may apply to the department for the certification of an event in accordance with this section. An application for certification of an event must include:

(1) A proposed event venue and event period;

(2) An estimate of the event revenue to be collected within the event venue during the event period that is directly attributable to the preparation for and presentation of the event;

(3) Estimated attendance at the event;

(4) Financial information related to the projected revenue and expenses of the event;

(5) An estimate of the number of out-of-state visitors who will attend the event;

(6) A marketing plan for the event; and

(7) Any other relevant information as determined by the department.

(e) No funds shall be spent from the event tourism fund for an event unless the event is certified by the department of tourist development and the department of finance and administration. An event shall not be certified unless:

(1) The event is expected to have a measurable economic impact;

(2) The event would not be held in this state without certification of the event;

(3) An event venue and an event period have been approved;

(4) The state building commission has defined the boundaries of the event venue for the purposes of the event;

(5) The proposed expenses of the event are directly related to the event; and

(6) The event is located outside of a sports authority or tourism development zone that receives allocations pursuant to § 67-6-103(d), § 67-6-103(e), or § 7-88-106.

(f)

(1) Following the completion of an event, a local organizing committee shall apply to the department for reimbursement of qualified expenses incurred by the local organizing committee, an endorsing local authority, and an event venue host related to the event. The total reimbursements paid for an event may not exceed the total event revenue deposited into the event tourism fund related to the event.

(2) Any allocations to the event tourism fund shall not include any amounts allocated to a sports authority or a tourism development zone pursuant to § 67-6-103(d), § 67-6-103(e), or § 7-88-106.

(3) To receive any reimbursement of qualified expenses, the event venue host must register the event and all associated vendors with the department of revenue on forms prescribed by the department. Any failure by the event venue host to register associated vendors with the department may reduce the total eligible reimbursement amount.

(g) All applications, documents, communications, and reports related to this section are public records subject to disclosure pursuant to title 10, chapter 7, part 5, except for any tax information or tax administration information that is confidential pursuant to chapter 1, part 17 of this title.

(h) Financial records directly related to the event that receives reimbursement for qualified expenses pursuant to this section are subject to audit by the comptroller of the treasury.

SECTION 2. Tennessee Code Annotated, Section 57-4-306, is amended by adding the following as a new subsection:

( )

(1) Notwithstanding this section to the contrary, fifty percent (50%) of the event revenue from gross receipt taxes collected under § 57-4-301(c) for privileges exercised in an event venue during an event period that would not otherwise be earmarked for educational purposes shall be deposited in the event tourism fund.

(2) One and one hundred twenty-five thousandths percent (1.125%) of funds deposited in the event tourism fund shall be retained by the department of finance and administration to be used for costs associated with administering the fund and this section. The department of finance and administration shall cause to be paid to the department of revenue an amount to offset the department's costs in administering this section.

(3) As used in this subsection ( ):

(A) "Event period" has the same meaning as defined in Section 1 of this act;

(B) "Event revenue" has the same meaning as defined in Section 1 of this act; and

(C) "Event venue" has the same meaning as defined in Section 1 of this act.

SECTION 3. Tennessee Code Annotated, Section 67-6-103, is amended by adding the following as a new subsection:

( )

(1) Notwithstanding the allocations provided for in subsection (a), fifty percent (50%) of the event revenue from the state taxes collected under this chapter for privileges exercised in an event venue during an event period that would otherwise be deposited in the general fund and not otherwise be earmarked for educational purposes shall be deposited in the event tourism fund established by Section 1 of this act.

(2) One and one hundred twenty-five thousandths percent (1.125%) of funds deposited in the event tourism fund shall be retained by the department of finance and administration to be used for costs associated with administering the fund and this section. The department of finance and administration shall cause to be paid to the department of revenue an amount to offset the department's costs in administering this section.

(3) As used in this subsection ( ):

(A) "Event period" has the same meaning as defined in Section 1 of this act;

(B) "Event revenue" has the same meaning as defined in Section 1 of this act; and

(C) "Event venue" has the same meaning as defined in Section 1 of this act.

SECTION 4. This act shall take effect January 1, 2019, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. K. Brooks moved adoption of Finance, Ways & Means Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 2384 by adding the following as a new section immediately before the effective date section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. The provisions contained in this act shall terminate on July 1, 2023.

On motion, Finance, Ways & Means Committee Amendment No. 2 was adopted.

Rep. Crawford moved that **House Bill No. 2384**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 91  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Forgy, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Towns, Travis, Turner, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 91

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **House Bill No. 2384** and have this statement entered in the Journal: Reps. J. Sexton and Van Huss.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 1805** -- Licenses - As introduced, exempts certain persons from initial licensure fees imposed by health related boards and professional regulatory boards. - Amends TCA Title 3, Chapter 6, Part 3; Title 23, Chapter 3; Title 49; Title 56; Title 62; Title 63 and Title 68. by \*Howell, \*Daniel. (SB2474 by \*Roberts)

Rep. Howell moved that House Bill No. 1805 be passed on third and final consideration.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 1 as follows:

**Amendment No. 1**

4325

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

AMEND House Bill No. 1805 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 76, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Licensing" means the procedure through which the privilege to engage in a specific profession regulated under this title is granted by a licensing authority;

(2) "Licensing authority" means any state agency with the authority to impose training, education, or licensure fees to practice in a profession;

(3) "Licensure fee" means a fee imposed by a licensing authority on persons licensed to practice a profession for the privilege of providing goods or services;

(4) "Low-income persons" means persons who are enrolled in a state or federal public assistance program, including, but not limited to, temporary assistance for needy families (TANF), medicaid, or supplemental nutrition assistance program (SNAP); and

(5) "State agency" means a state board, agency, or commission attached to the division of regulatory boards, as listed in § 4-3-1304(a).

(b)

(1) Any licensing authority that requires a license for persons to practice in a profession shall waive all initial licensure fees for low-income persons.

(2)

(A) Persons seeking a waiver of initial licensure fee requirements shall apply to the appropriate licensing authority in a format prescribed by the authority.

(B) The licensing authority shall process the application within thirty (30) days of its receipt from the applicant.

(3) All licensing authorities to which this section applies shall promulgate rules to effectuate the purposes of this section. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Licensing" means the procedure through which the privilege to engage in a specific profession regulated under this title is granted by a licensing authority;

(2) "Licensing authority" means any state agency with the authority to impose training, education, or licensure fees to practice in a profession;

(3) "Licensure fee" means a fee imposed by a licensing authority on persons licensed to practice a profession for the privilege of providing goods or services;

(4) "Low-income persons" means persons who are enrolled in a state or federal public assistance program, including, but not limited to, temporary assistance for needy families (TANF), medicaid, or supplemental nutrition assistance program (SNAP); and

(5) "State agency" means a state board, agency, or commission attached to the division of health related boards, as listed in § 68-1-101(a)(8).

(b)

(1) Any licensing authority that requires a license for persons to practice in a profession shall waive all initial licensure fees for low-income persons.

(2)

(A) Persons seeking a waiver of initial licensure fee requirements shall apply to the appropriate licensing authority in a format prescribed by the authority.

(B) The licensing authority shall process the application within thirty (30) days of its receipt from the applicant.

(3) All licensing authorities to which this section applies shall promulgate rules to effectuate the purposes of this section. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 3. Tennessee Code Annotated, Title 68, Chapter 140, Part 3, is amended by adding the following as a new section:



(a) As used in this section:

(1) "Licensing" means the procedure through which the privilege to engage in a profession regulated under this part is granted by the board;

(2) "Licensure fee" means a fee imposed by the board on persons licensed to practice a profession for the privilege of services; and

(3) "Low-income persons" means persons who are enrolled in a state or federal public assistance program, including, but not limited to, temporary assistance for needy families (TANF), medicaid, or supplemental nutrition assistance program (SNAP).

(b)

(1) When a license is required for persons to practice in a profession under this part, the board shall waive all initial licensure fees for low-income persons.

(2)

(A) Persons seeking a waiver of initial licensure fee requirements shall apply to the board in a format prescribed by the board.

(B) The board shall process the application within thirty (30) days of its receipt from the applicant.

(3) The board shall promulgate rules to effectuate the purposes of this section.

SECTION 4. For purposes of promulgating rules, this act shall take effect upon becoming law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2019, the public welfare requiring it.

On motion, Health Committee Amendment No. 1 was adopted.

Rep. C. Sexton moved adoption of Health Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 1805 by deleting subdivision (b)(2) from SECTION 1 and substituting instead the following:

(2) Persons seeking a waiver of initial licensure fee requirements shall apply to the appropriate licensing authority in a format prescribed by the authority.

**AND FURTHER AMEND** by deleting subdivision (b)(2) from SECTION 2 and substituting instead the following:

(2) Persons seeking a waiver of initial licensure fee requirements shall apply to the appropriate licensing authority in a format prescribed by the authority.

On motion, Health Committee Amendment No. 2 was adopted.

Rep. Howell moved that **House Bill No. 1805**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 91  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, McCormick, McDaniel, Miller, Mitchell, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 91

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **House Bill No. 1805** and have this statement entered in the Journal: Reps. J. Sexton and Van Huss.

### REGULAR CALENDAR, CONTINUED

**House Bill No. 1895** -- Administrative Procedure (UAPA) - As introduced, clarifies definitions of "policy" and "rule" for rulemaking purposes; requires an agency to submit proposed policies to the attorney general for review; prohibits an agency from promulgating rules or implementing policies that infringe on an agency member's freedom of speech; and prescribes that only appointing authorities shall have the power to remove a member from a multi-member governmental entity. - Amends TCA Title 4, Chapter 5. by \*Matlock, \*Faison. (\*SB1572 by \*Bell, \*Stevens, \*Kelsey)

On motion, House Bill No. 1895 was made to conform with **Senate Bill No. 1572**; the Senate Bill was substituted for the House Bill.

Rep. Faison moved that Senate Bill No. 1572 be passed on third and final consideration.

Rep. Ragan moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ragan moved that Government Operations Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Ragan moved adoption of Government Operations Committee Amendment No. 3 as follows:

**Amendment No. 3**

AMEND Senate Bill No. 1572 by deleting § 4-5-231(b) of Section 3 and substituting instead the following:

(b) An agency's appointing authority shall have sole power to remove a member from a board, commission, council, committee, authority, task force, or other similar multi-member agency created by statute and subject to review under title 4, chapter 29. This subsection (b) shall not impair the ability of the general assembly to reconstitute, restructure, or reestablish such agency.

On motion, Government Operations Committee Amendment No. 3 was adopted.

Rep. Faison moved that **Senate Bill No. 1572**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	92
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Marsh, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Tillis, Towns, Travis, Turner, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 92

Representatives present and not voting were: Thompson -- 1

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **Senate Bill No. 1572** and have this statement entered in the Journal: Reps. J. Sexton and Van Huss.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 2110** -- Criminal Procedure - As introduced, clarifies that an electronic version is acceptable for the annual compliance report on capital cases submitted by the administrative office of the courts to the chief clerks of the senate and house of representatives and chairs of the appropriate committees. - Amends TCA Title 38; Title 39; Title 40; Title 55, Chapter 10, Part 4 and Title 69, Chapter 9. by \*Goins. (SB2711 by \*Bowling)

Rep. Goins moved that House Bill No. 2110 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2110 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-13-102(e), is amended by adding the following new subdivision:

(4) In addition to any other punishment that may be imposed for a violation of this section, if the relationship between the defendant and the victim of the assault is such that the victim is a domestic abuse victim as defined in § 36-3-601, the court shall assess each person convicted an electronic monitoring indigency fee of ten dollars (\$10.00). All proceeds collected pursuant to this subdivision (e)(4) shall be transmitted to the treasurer for deposit in the electronic monitoring indigency fund, established in § 55-10-419.

SECTION 2. Tennessee Code Annotated, Section 39-13-111(c), is amended by adding the following new subdivision:

(7) In addition to all other fines, fees, costs, and punishments now prescribed by law, the court shall assess each person convicted of domestic assault an electronic monitoring indigency fee of ten dollars (\$10.00). All proceeds collected pursuant to this subdivision (c)(7) shall be transmitted to the treasurer for deposit in the electronic monitoring indigency fund, established in § 55-10-419.

SECTION 3. Tennessee Code Annotated, Title 40, is amended by deleting the language "DUI monitoring fund" wherever it appears and substituting instead the language "electronic monitoring indigency fund".

SECTION 4. Tennessee Code Annotated, Title 55, Chapter 10, Part 4, is amended by deleting the language "DUI monitoring fund" wherever it appears and substituting instead the language "electronic monitoring indigency fund".

SECTION 5. Tennessee Code Annotated, Section 55-10-419(g)(2), is amended by deleting the language "The fee assessed pursuant to § 55-10-413(a)" and substituting instead the language "The fees assessed pursuant to §§ 55-10-413(a) and 69-9-219(c)(9)".

SECTION 6. Tennessee Code Annotated, Section 55-10-417, is amended by adding the following new subsection:

(m) In addition to all other fines, fees, costs, and punishments now prescribed by law, upon ordering the use of a functioning ignition interlock device pursuant to § 55-10-409 or subdivision (a)(1), subdivision (a)(2), or subsection (k), the court shall assess a one-time electronic monitoring initial use fee of twelve dollars (\$12.00) if the person has not previously been ordered by a court of this state to use an ignition interlock or other electronic monitoring device. All proceeds collected pursuant to this subsection (m) shall be transmitted to the treasurer for deposit in the electronic monitoring indigency fund, established in § 55-10-419.

SECTION 7. Tennessee Code Annotated, Section 55-10-419(g)(1), is amended by deleting the language "All proceeds collected pursuant to § 55-10-413(a)" and substituting instead the language "All proceeds collected pursuant to §§ 55-10-413(a) and 69-9-219(c)(9)".

SECTION 8. Tennessee Code Annotated, Section 69-9-219(c), is amended by adding the following new subdivision:

(9) In addition to all other fines, fees, costs, and punishments now prescribed by law, an ignition interlock fee of forty dollars (\$40.00) shall be assessed for each violation of § 69-9-217, occurring on or after July 1, 2018, and resulting in a conviction for such offense. All proceeds collected pursuant to this subdivision (c)(9) shall be transmitted to the treasurer for deposit in the electronic monitoring indigency fund pursuant to § 55-10-419(g).

SECTION 9. Tennessee Code Annotated, Section 40-28-201, is amended by adding the following new subdivision (a)(5):

(5) In addition to the other charges and fees imposed by this section, beginning July 1, 2018, any person who is under the supervision of the department and is enrolled in an electronic monitoring and tracking supervision program shall be required to pay a one-time electronic monitoring initial use fee of twelve dollars (\$12.00) if the person has not previously been ordered by a court of this state to use an electronic monitoring or ignition interlock device. All proceeds collected pursuant to this subdivision (a)(5) shall be transmitted to the treasurer for deposit in the electronic monitoring indigency fund, established in § 55-10-419.

SECTION 10. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end, the provisions of this act shall be severable.

SECTION 11. The Tennessee Code Commission is requested to change all references to the "DUI monitoring fund" found in section headings to "electronic monitoring indigency fund".

SECTION 12. This act shall take effect July 1, 2018, the public welfare requiring it, and shall apply to offenses committed on or after that date.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Goins moved that **House Bill No. 2110**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 92  
Noes..... 1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 92

Representatives voting no were: Hazlewood -- 1

A motion to reconsider was tabled.

### **REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **House Bill No. 2110** and have this statement entered in the Journal: Reps. J. Sexton and Van Huss.

### **REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 2450** -- DUI Offenses - As introduced, removes penalty of Class A misdemeanor for refusing to consent to breath or blood test for DUI; makes various revisions to DUI law regarding breath and blood tests. - Amends TCA Title 39, Chapter 13; Title 40, Chapter 7, Part 1 and Title 55, Chapter 10, Part 4. by \*Goins, \*Whitson. (SB2526 by \*Ketron)

Rep. Goins moved that House Bill No. 2450 be passed on third and final consideration.

Rep. Lamberth moved adoption of Criminal Justice Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2450 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-10-408(b), is amended by deleting the subsection and substituting instead the following:

(b)

(1) Upon receipt of a specimen forwarded to the director's office or an accredited crime laboratory for analysis, and the "toxicology request for examination" form, which shall indicate whether or not a breath alcohol test has been administered and the results of that test, the director of the Tennessee bureau of investigation or the director of an accredited crime laboratory shall have the specimen examined for alcohol concentration, the presence of narcotics or other drugs, or for both alcohol and drugs, if requested by the arresting officer, county medical examiner, or any district attorney general. The office of the director of the Tennessee bureau of investigation or the director of an accredited crime laboratory shall execute a certificate or report that indicates the name of the accused, the date, time, and by whom the specimen was received and examined, and a statement of the alcohol concentration or presence of drugs in the specimen.

(2) As used in this section, "accredited crime laboratory" shall be limited to those crime laboratories that:

(A) Are owned and operated by this state or a political subdivision of this state;

(B) Are accredited under ISO/IEC/17025, with associated supplemental requirements; and

(C) Provide testing within the scope of the accreditation sufficient to meet the requirements as forensic service providers.

SECTION 2. Tennessee Code Annotated, Section 55-10-406, is amended by deleting subsection (c) and substituting instead the following:

(1)

(A)

(i) A law enforcement officer shall administer or cause to be administered a breath test for the purpose of determining the alcohol or drug content of the operator's blood if the officer has testing equipment available and has probable cause to believe

that one (1) or more of the events in subdivision (c)(1)(B) have occurred.

(ii) A law enforcement officer shall cause to be administered a blood test for the purpose of determining the alcohol or drug content of the operator's blood if one (1) or more of the requirements for a blood test set out in subsection (e) are present and the officer has probable cause to believe that one (1) or more of the events in subdivision (c)(1)(B) have occurred.

(B) An officer shall administer or cause to be administered a breath or blood test pursuant to subdivision (c)(1)(A) if the vehicle:

(i) Has been involved in a collision resulting in the injury or death of another and the operator of the vehicle has committed a violation of § 39-13-106, § 39-13-115, § 39-13-213(a)(2), § 39-13-218, or § 55-10-401;

(ii) Has committed a violation of § 39-13-106, § 39-13-115, § 39-13-213(a)(2), § 39-13-218, or § 55-10-401; and a passenger in the motor vehicle is a child under eighteen (18) years of age; or

(iii) Has committed a violation of § 39-13-106, § 39-13-115, § 39-13-213(a)(2), § 39-13-218, or § 55-10-401 and has a prior conviction of a violation of § 39-13-106, § 39-13-115, § 39-13-213(a)(2), § 39-13-218, or § 55-10-401, or an offense committed in another state that, if committed in this state, would constitute the offense of vehicular assault under § 39-13-106, aggravated vehicular assault under § 39-13-115, vehicular homicide under § 39-13-213(a)(2), aggravated vehicular homicide under § 39-13-218, or driving under the influence of an intoxicant under § 55-10-401.

(2) If a blood test required to be performed under subdivision (c)(1)(A)(ii) is performed in accordance with the procedure set forth in this section and § 55-10-408, and is performed pursuant to a search warrant as described in subdivision (e)(2), or a recognized exigent circumstance to the search warrant requirement, the test shall be administered regardless of whether the operator consents to the test.

(3)

(A) The results of a breath test that is required to be performed by subdivision (c)(1)(A)(i), may be offered as evidence by either the state or the operator of the vehicle in any court or administrative hearing or official proceeding relating to the collision or offense, subject to the Tennessee Rules of Evidence.

(B) The results of a blood test that is required to be performed by subdivision (c)(1)(A)(ii), if performed in accordance



with § 55-10-408 and subdivision (e)(2) of this section, may be offered as evidence by either the state or the operator of the vehicle in any court or administrative hearing or official proceeding relating to the collision or offense, subject to the Tennessee Rules of Evidence.

SECTION 3. This act shall take effect July 1, 2018, the public welfare requiring it.

On motion, Criminal Justice Committee Amendment No. 1 was adopted.

Rep. Goins moved that **House Bill No. 2450**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
Noes ..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Fitzhugh, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Turner, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following members desire to change their original stand from "not voting" to "aye" on **House Bill No. 2450** and have this statement entered in the Journal: Reps. J. Sexton and Van Huss.

#### REGULAR CALENDAR, CONTINUED

**\*House Bill No. 1808** -- Insurance Companies, Agents, Brokers, Policies - As introduced, makes various changes to the insurance laws, including, but not limited to, changing the jurisdiction over claims challenging liability imposed by the insurance laws, granting the commissioner authority to provide by rule additional requirements for certain credits for reinsurance by a domestic ceding insurer, and requiring yearly submission of corporate governance annual disclosures. - Amends TCA Title 9 and Title 56. by \*Hawk, \*Casada, \*Curcio. (SB2232 by \*Norris, \*Watson, \*Ketron)

Rep. Curcio moved that House Bill No. 1808 be passed on third and final consideration.

Rep. Travis moved adoption of Insurance and Banking Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1808 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 9-8-307(a)(1)(O), is amended by deleting the language "§ 56-4-218" and substituting the language "title 56".

SECTION 2. Tennessee Code Annotated, Title 56, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) Claims challenging liability imposed by this title must be brought in the chancery court of Davidson County pursuant to the procedures set out in title 67, chapter 1, part 9.

(b)

(1) The commissioner may, against any person, agency, or company licensed, registered, or permitted by or operating under a certificate of authority issued by the commissioner, or acting in an unlawful capacity that brings such person, agency, or company under the jurisdiction of the commissioner, assess the actual and reasonable costs of the investigation, prosecution, and hearing of any disciplinary action held in accordance with the contested case provisions of the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, part 3, in which sanctions of any kind are imposed on that person, agency, or company. These costs may include, but are not limited to, those incurred and assessed for the time of the prosecuting attorneys, investigators, expert witnesses, administrative judges, and any other persons involved in the investigation, prosecution, and hearing of the action.

(2) The commissioner may promulgate rules establishing a schedule of costs that may be assessed pursuant to this section. All rules must be promulgated in accordance with the Uniform Administrative Procedures Act.

(3)

(A) All costs assessed pursuant to this section become final thirty (30) days after the date of a final order of assessment is served.

(B) If the individual or entity disciplined fails to pay an assessment when it becomes final, the commissioner may apply to the chancery court of Davidson County, which shall have jurisdiction over recovery of the costs, for a judgment and seek execution of the judgment.

SECTION 3. Tennessee Code Annotated, Title 56, Chapter 1, Part 7, is amended by deleting the part.

SECTION 4. Tennessee Code Annotated, Section 56-2-208(b)(1), is amended by deleting the subdivision and substituting the following:

(1)

(A) Credit for reinsurance shall be allowed a domestic ceding insurer as either an asset or a reduction from liability on account of reinsurance ceded only when the insurer meets one (1) or more of the requirements set out in subdivisions (b)(2)-(7). However, the commissioner may adopt, by rule pursuant to § 56-2-209(g), specific additional requirements relating to or setting forth:

(i) The valuation of assets or reserve credits;

(ii) The amount and forms of security supporting reinsurance arrangements described in § 56-2-209(g); and

(iii) The circumstances pursuant to which credit will be reduced or eliminated.

(B) Credit shall be allowed under subdivision (b)(2), (b)(3), or (b)(4) only in respect to cessions of those kinds or classes of business which the assuming insurer is licensed or otherwise permitted to write or assume in its state of domicile or, in the case of the United States branch of a non-United States assuming insurer, in the state through which it is entered and licensed to transact insurance or reinsurance. Credit shall be allowed under subdivision (b)(4) or (b)(5) only if the applicable requirements of subdivision (b)(8) have been satisfied.

SECTION 5. Tennessee Code Annotated, Section 56-2-208(b)(6)(A), is amended by redesignating the existing language as subdivision (b)(6)(A)(i) and adding the following as a new subdivision (b)(6)(A)(ii):

(ii) Any information submitted by an assuming insurer who is applying for certification as a reinsurer pursuant to subdivision (b)(6)(A)(i) and any information submitted to the commissioner pursuant to this section or any rule promulgated under this section by an assuming insurer who has been certified as a reinsurer pursuant to subdivision (b)(6)(A)(i) is confidential by law, is not open for inspection by members of the public under § 10-7-503 or § 56-1-602, is not subject to subpoena, and is not subject to discovery or admissible in evidence in any private civil action. However, the commissioner may use the documents, materials, or other information in the furtherance of any regulatory or legal action brought as a part of the commissioner's official duties and may share the documents, materials, or other information in accordance with the procedures set forth in § 56-11-108(c)-(f).

SECTION 6. Tennessee Code Annotated, Section 56-2-209(a), is amended by deleting the subsection and substituting the following:

(a)

(1) An asset or a reduction from liability for the reinsurance ceded by a domestic insurer to an assuming insurer not meeting the requirements of § 56-2-208 shall be allowed in an amount not exceeding the liabilities carried by the ceding insurer. However, the commissioner may adopt by rule pursuant to subsection (g) specific additional requirements relating to or setting forth:

(A) The valuation of assets or reserve credits;

(B) The amount and forms of security supporting reinsurance arrangements described in subsection (g); and

(C) The circumstances pursuant to which credit will be reduced or eliminated.

(2) The reduction shall be in the amount of funds held by or on behalf of the ceding insurer, including funds held in trust for the ceding insurer, under a reinsurance contract with the assuming insurer as security for the payment of obligations under the contract, if the security is held in the United States subject to withdrawal solely by, and under the exclusive control of, the ceding insurer, or, in the case of a trust, held in a qualified United States financial institution. This security may be in the form of:

(A) Cash;

(B) Securities listed by the Securities Valuation Office of the National Association of Insurance Commissioners, including those deemed exempt from filing as defined by the Purposes and Procedures Manual of the Securities Valuation Office, and qualifying as admitted assets;

(C) Clean, irrevocable, unconditional letters of credit, issued or confirmed by a qualified United States financial institution no later than December 31 of the year for which filing is being made, and in the possession of the ceding company on or before the filing date of its annual statement; or

(D) Any other form of security acceptable to the commissioner.

SECTION 7. Tennessee Code Annotated, Section 56-2-209, is amended by adding the following as a new subsection:

(g)

(1) The commissioner is further authorized to promulgate rules applicable to reinsurance arrangements described in this subdivision (g)(1) relating to:

(A) Life insurance policies with guaranteed nonlevel gross premiums or guaranteed nonlevel benefits;

(B) Universal life insurance policies with provisions resulting in the ability of a policyholder to keep a policy in force over a secondary guarantee period;

(C) Variable annuities with guaranteed death or living benefits;

(D) Long-term care insurance policies; or

(E) Other life and health insurance and annuity products as to which the commissioner adopts regulatory requirements with respect to credit for reinsurance.

(2) A rule promulgated pursuant to subdivision (g)(1)(A) or (g)(1)(B) may apply to any treaty containing:

(A) Policies issued on or after January 1, 2015; or

(B) Policies issued prior to January 1, 2015, if risk pertaining to such pre-2015 policies is ceded in connection with the treaty, in whole or in part, on or after January 1, 2015.

(3) A rule promulgated pursuant to this subsection (g) may require the ceding insurer, in calculating the amounts or forms of security required to be held under rules promulgated under this authority, to use the Valuation Manual adopted by the National Association of Insurance Commissioners (NAIC) under Section 11B(1) of the NAIC Standard Valuation Law, including all amendments adopted by the NAIC and in effect on the date as of which the calculation is made, to the extent applicable.

(4) A rule promulgated pursuant to this subsection (g) does not apply to cessions to an assuming insurer that:

(A) Is certified in this state or certified in a minimum of five (5) other states; or

(B) Maintains at least two hundred and fifty million dollars (\$250,000,000) in capital and surplus, determined in accordance with the NAIC Accounting Practices and Procedures Manual,

including all amendments to such manual that are adopted by the NAIC, excluding the impact of any permitted or prescribed practices; and is:

(i) Licensed in at least twenty-six (26) states; or

(ii) Licensed in at least ten (10) states, and licensed or accredited in a total of at least thirty-five (35) states.

(5) The authority to promulgate rules pursuant to this subsection (g) does not limit the commissioner's authority to adopt rules pursuant to subsection (e). All rules under this subsection (g) must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 8. Tennessee Code Annotated, Title 56, Chapter 2, is amended by adding the following as a new part:

**56-2-901. Short Title.** This part shall be known and may be cited as the "Corporate Governance Annual Disclosure Act."

**56-2-902. Purpose and Scope.**

(a) The purpose of this part is to:

(1) Provide the commissioner a summary of an insurer or insurance group's corporate governance structure, policies, and practices to permit the commissioner to gain and maintain an understanding of the insurer's corporate governance framework;

(2) Outline the requirements for completing a corporate governance annual disclosure with the commissioner; and

(3) Provide for the confidential treatment of the corporate governance annual disclosure and related information.

(b) Nothing in this part prescribes or imposes corporate governance standards and internal procedures beyond that which is required under applicable law. Notwithstanding this section, nothing in this part limits the commissioner's authority or the rights or obligations of third parties under §§ 56-1-408 - 56-1-413.

(c) This part applies to all insurers domiciled in this state, except for:

(1) Captive insurance companies licensed under the Revised Tennessee Captive Insurance Act, compiled in chapter 13 of this title; and

(2) Risk retention groups licensed under chapter 45 of this title.

**56-2-903. Definitions.** As used in this part:

(1) "Commissioner" means the commissioner of commerce and insurance;

(2) "Corporate governance annual disclosure" or "CGAD" means a confidential report filed by the insurer or insurance group in accordance with this part;

(3) "Department" means the department of commerce and insurance;

(4) "Insurance group" means those insurers and affiliates included within an insurance holding company system as defined in § 56-11-101;

(5) "Insurer" has the same meaning as "insurance company" in § 56-1-102, except that "insurer" does not include agencies, authorities, or instrumentalities of the United States, its possessions and territories, the Commonwealth of Puerto Rico, the District of Columbia, or a state or political subdivision of a state;

(6) "NAIC" means the National Association of Insurance Commissioners; and

(7) "ORSA summary report" means the report filed in accordance with chapter 11, part 2 of this title.

**56-2-904. Disclosure Requirement.**

(a) An insurer, or the insurance group of which the insurer is a member, shall, no later than June 1 of each calendar year, submit to the commissioner a CGAD that contains the information described in § 56-2-906(b). However, an insurer or insurance group that files a CGAD pursuant to § 56-2-906(c) may elect to file the CGAD either no later than June 1 or December 31 of each calendar year. Notwithstanding any request from the commissioner made pursuant to subsection (c), if the insurer is a member of an insurance group, the insurer must submit the report required by this section to the applicable insurance commissioner of the lead state for the insurance group, in accordance with the laws of the lead state, as determined by the procedures outlined in the most recent Financial Analysis Handbook adopted by the NAIC.

(b) The CGAD must include a signature of the insurer or the insurance group's chief executive officer or corporate secretary attesting that, to the best of that individual's belief and knowledge, the insurer has implemented the corporate governance practices described in the CGAD and that a copy of the disclosure has been provided to the insurer's board of directors or the appropriate committee of the board.

(c) An insurer not required to submit a CGAD under this part shall do so upon the commissioner's request.

(d)

(1) For the purposes of completing the CGAD, the insurer or insurance group may provide information regarding corporate governance at the ultimate controlling parent level, an intermediate holding company level, the individual legal entity level, or at a combination of levels depending upon how the insurer or insurance group has structured its system of corporate governance. The insurer or insurance group shall consider the following criteria in determining the level at which the CGAD should be filed:

(A) The level at which the insurer's or insurance group's risk appetite is determined;

(B) The level at which the earnings, capital, liquidity, operations, and reputation of the insurer are overseen collectively and at which the supervision of those factors are coordinated and exercised; or

(C) The level at which legal liability for failure of general corporate governance duties would be placed.

(2) If, subsequent to the initial filing of the CGAD, the insurer changes the level of reporting, the insurer shall explain the reason for the change in the first CGAD filed after the change in level of reporting.

(e) The review of the CGAD and any additional requests for information must be made through the lead state as determined by the procedures within the most recent Financial Analysis Handbook adopted by the NAIC.

(f) Insurers providing information substantially similar to the information required by this part in other documents provided to the commissioner, including proxy statements filed in conjunction with Form B requirements, or other state or federal filings provided to the commissioner, or as part of any department request or examination, are not required to duplicate that information in the CGAD, but are only required to cross reference the document in which the information is included.

**56-2-905. Rules.** The commissioner may promulgate rules as are necessary to carry out this part in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

**56-2-906. Contents of Corporate Governance Annual Disclosure.**

(a) The insurer or insurance group has discretion over the responses to the CGAD inquiries, provided that the CGAD must contain the material information necessary to permit the commissioner to gain an understanding of the insurer's or group's corporate governance structure, policies, and practices. The commissioner may request additional information that the commissioner deems material and necessary to provide the commissioner with a clear



understanding of the corporate governance policies, the reporting or information system, or the controls implementing those policies.

(b) Notwithstanding subsection (a), the CGAD must be prepared consistent with rules promulgated pursuant to this part. The rules must be consistent with subsection (c). Documentation and supporting information must be maintained and made available upon examination or upon the request of the commissioner.

(c) Rules promulgated under this part must prescribe separate but suitable corporate governance reporting requirements for any insurer or insurance group that is not admitted to write insurance on a direct basis in any other jurisdiction and is either:

(1) Organized under the Tennessee Nonprofit Corporation Act, compiled in title 48, chapters 51-68; or

(2) Governed by a board of which at least seventy-five percent (75%) of its voting directors receive no more than nominal compensation.

**56-2-907. Confidentiality.**

(a) Documents, materials, or other information, including the CGAD, in the possession or control of the department that are obtained by, created by, or disclosed to the commissioner or any other person under this part, are recognized as being proprietary and containing trade secrets. All such documents, materials, or other information are confidential by law and privileged, are not subject to public inspection under § 10-7-503 or § 56-1-602, are not subject to subpoena, and are not subject to discovery or admissible in evidence in any private civil action. However, the commissioner is authorized to use the documents, materials, or other information in the furtherance of any regulatory or legal action brought as part of the commissioner's official duties. The commissioner shall not otherwise make the documents, materials, or other information public without the prior written consent of the insurer. Nothing in this section requires the written consent of the insurer before the commissioner may share or receive confidential documents, materials, or other CGAD-related information pursuant to subsection (c) to assist in the performance of the commissioner's official duties.

(b) Neither the commissioner nor any person that receives documents, materials, or other CGAD-related information, through examination or otherwise, while acting under the authority of the commissioner, or with whom the documents, materials, or other information are shared pursuant to this part, are permitted or required to testify in any private civil action concerning any confidential documents, materials, or information subject to subsection (a).

(c) In order to assist the commissioner in the performance of the commissioner's regulatory duties, the commissioner:

(1) May, as necessary and upon request, share documents, materials, or other CGAD-related information, including the confidential and privileged documents, materials, or information subject to subsection (a), and including proprietary and trade secret documents and materials, with other state, federal, or international financial regulatory agencies, including members of any supervisory college as set forth in § 56-11-116, and with the NAIC, and with third-party consultants pursuant to § 56-9-108; provided, that the recipient agrees in writing to maintain the confidentiality and privileged status of the CGAD-related documents, materials, or other information and has verified in writing its legal authority to maintain such confidentiality; and

(2) May receive documents, materials, or other CGAD-related information, including otherwise confidential and privileged documents, materials, or information, and including proprietary and trade-secret information or documents, from regulatory officials of other state, federal, or international financial regulatory agencies, including members of any supervisory college as set forth in § 56-11-116, and from the NAIC, and shall maintain as confidential or privileged any such documents, materials, or information received with notice or the understanding that they are confidential or privileged under the laws of the jurisdiction that is the source of the documents, materials, or information.

(d) The sharing of information and documents by the commissioner pursuant to this part does not constitute a delegation of regulatory authority or rulemaking, and the commissioner is solely responsible for the administration, execution, and enforcement of this part.

(e) No waiver of any applicable privilege or claim of confidentiality in documents, proprietary and trade-secret materials, or other CGAD-related information shall occur as a result of disclosure of CGAD-related information or documents to the commissioner under this part or as a result of sharing as authorized under this part.

**56-2-908. NAIC and Third-Party Consultants.**

(a) The commissioner may retain, at the insurer's expense, third-party consultants, including attorneys, actuaries, accountants, and other experts not otherwise part of the commissioner's staff, as may be reasonably necessary to assist the commissioner in reviewing the CGAD and related information or the insurer's compliance with this part.

(b) Any persons retained under subsection (a) are under the direction and control of the commissioner and shall act in a purely advisory capacity.

(c) The NAIC and any third-party consultants are subject to the same confidentiality standards and requirements as the commissioner.

(d) As part of the retention process, a third-party consultant shall verify to the commissioner, with notice to the insurer, that it is free of conflicts of interest

and that it has internal procedures in place to monitor compliance with conflicts and to comply with the confidentiality standards and requirements of this part.

(e) A written agreement with the NAIC or a third-party consultant governing sharing and use of information provided pursuant to this part must contain the following provisions and expressly require the written consent of the insurer prior to making public information provided under this part:

(1) Specific procedures and protocols for maintaining the confidentiality and security of CGAD-related information shared with the NAIC or a third-party consultant pursuant to this part;

(2) Procedures and protocols for sharing by the NAIC only with other state regulators from states in which the insurance group has domiciled insurers. The agreement must provide that the recipient agrees in writing to maintain the confidentiality and privileged status of the CGAD-related documents, materials, or other information and has verified in writing its legal authority to maintain confidentiality;

(3) A provision specifying that ownership of the CGAD-related information shared with the NAIC or a third-party consultant remains with the department and that the NAIC's or third-party consultant's use of the information is subject to the direction of the commissioner;

(4) A provision that prohibits the NAIC or a third-party consultant from storing the information shared pursuant to this part in a permanent database after the underlying analysis is completed;

(5) A provision requiring the NAIC or third-party consultant to provide prompt notice to the commissioner and to the insurer or insurance group regarding any subpoena, request for disclosure, or request for production of the insurer's CGAD-related information; and

(6) A requirement that the NAIC or a third-party consultant consent to intervention by an insurer in any judicial or administrative action in which the NAIC or a third-party consultant may be required to disclose confidential information about the insurer shared with the NAIC or a third-party consultant pursuant to this part.

**56-2-909. Sanctions.** Any insurer failing, without just cause, to timely file the CGAD as required in this part is required, after notice and a hearing, to pay a civil penalty of one hundred dollars (\$100) per day for each day of delay, to be recovered by the commissioner, which must be paid into the general fund of this state. The maximum penalty under this section is ten thousand dollars (\$10,000). The commissioner may reduce the civil penalty if the insurer demonstrates to the commissioner that imposition of the civil penalty would constitute a financial hardship to the insurer in the commissioner's sole discretion.

**56-2-910. Severability.** If any provision of this part other than § 56-2-907, or the application of this part to any person or circumstance, is held invalid, such determination

shall not affect the provisions or applications of this part that can be given effect without the invalid provision or application, and to that end the provisions of this part, with the exception of § 56-2-907, are severable.

SECTION 9. Tennessee Code Annotated, Section 56-3-102, is amended by deleting the section.

SECTION 10. Tennessee Code Annotated, Section 56-6-502(3)(A), is amended by deleting the subdivision and substituting the following:

(A) "Managing general agent" or "MGA" means any person who:

(i) Manages all or part of the insurance business of an insurer, including the management of a separate division, department, or underwriting office; and

(ii) Acts as an agent for such insurer, whether known as a MGA, manager, or other similar term, and who, with or without the authority, either separately or together with affiliates, produces, directly or indirectly, and underwrites an amount of gross direct written premium equal to or more than five percent (5%) of the policyholder surplus in any one (1) quarter or year, as reported in the last annual statement of the insurer, and, related to the business produced, either:

(a) Adjusts or pays claims in excess of ten thousand dollars (\$10,000) per claim; or

(b) Negotiates reinsurance on behalf of the insurer;

SECTION 11. Tennessee Code Annotated, Section 56-7-2304, is amended by deleting the section and substituting the following:

The commissioner is authorized to adopt rules applicable to insurance policies and subscriber contracts provided by an insurance company or a nonprofit service corporation on a group or group-type basis establishing reasonable requirements for extension of benefits and determination of claim liability in the event of discontinuance of coverage for nonpayment of premiums or replacement of coverage by another carrier. All rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, and shall provide for any notices required that notice to the group policyholder or subscriber contract holder are deemed notice to the employee, member, or subscriber. No rule shall require the extension of coverage, except as to policies or contracts issued, altered, or amended after the effective date of the rule.

SECTION 12. Tennessee Code Annotated, Section 56-7-2810(d), is amended by adding the following as a new subdivision:

(3) The commissioner may waive subdivision (d)(2) upon written request by a health insurance issuer that demonstrates to the satisfaction of the commissioner that a waiver would benefit insurance consumers in this state and would strengthen the individual market.

SECTION 13. Tennessee Code Annotated, Section 56-11-101(b), is amended by adding the following as new subdivisions:

( ) "Group-wide supervisor" means the regulatory official authorized to engage in conducting and coordinating group-wide supervision activities who is determined or acknowledged by the commissioner under § 56-11-116(d) to have sufficient significant contacts with the internationally active insurance group;

( ) "Internationally active insurance group" means an insurance holding company system that includes an insurer registered under § 56-11-105 and meeting the following criteria:

(A) Premiums are written in at least three (3) countries;

(B) The percentage of gross premiums written outside the United States is at least ten percent (10%) of the insurance holding company system's total gross written premiums; and

(C) Based on a three-year rolling average, the total assets of the insurance holding company system are at least fifty billion dollars (\$50,000,000,000), or the total gross written premiums of the insurance holding company system are at least ten billion dollars (\$10,000,000,000);

SECTION 14. Tennessee Code Annotated, Section 56-11-108(a), is amended by deleting the subsection and substituting the following:

(a) Documents, materials, or other information in the possession or control of the department that are obtained by or disclosed to the commissioner or any other person in the course of an examination or investigation made pursuant to § 56-11-107, and all information reported or provided to the department pursuant to §§ 56-11-103(b)(13)-(15), 56-11-105, 56-11-106, and 56-11-116(d), are confidential by law and privileged, are not subject to § 10-7-503 or § 56-1-602, are not subject to subpoena, and are not subject to discovery or admissible in evidence in any private civil action. However, the commissioner is authorized to use the documents, materials, or other information in the furtherance of any regulatory or legal action brought as a part of the commissioner's official duties. The commissioner shall not otherwise make the documents, materials, or other information public without the prior written consent of the insurer or health maintenance organization to which it pertains unless the commissioner, after giving the insurer or health maintenance organization and its affiliates who would be affected thereby notice and opportunity to be heard, determines that the interest of policyholders, enrollees, providers, shareholders, or the public will be served by the publication thereof, in which event the commissioner may publish all or any part thereof, in the manner the commissioner may deem appropriate.

SECTION 15. Tennessee Code Annotated, Section 56-11-106(a)(2)(A), is amended by adding the language ", exchanges, loans, extensions of credit, or investments" after the word "purchases".

SECTION 16. Tennessee Code Annotated, Section 56-11-116, is amended by adding the following as a new subsection (d):

(d) Group-Wide Supervision of Internationally Active Insurance Groups.

(1)

(A) The commissioner is authorized to act as the group-wide supervisor for any internationally active insurance group in accordance with this section. However, the commissioner may also acknowledge that another regulatory official shall serve as the group-wide supervisor if the internationally active insurance group:

(i) Does not have substantial insurance operations in the United States;

(ii) Has substantial insurance operations in the United States, but not in this state; or

(iii) Has substantial insurance operations in the United States and this state, but the commissioner has determined pursuant to the factors set forth in subdivisions (d)(2) and (6) that the other regulatory official is the appropriate group-wide supervisor.

(B) An insurance holding company system that does not otherwise qualify as an internationally active insurance group may request that the commissioner make a determination or acknowledgment as to a group-wide supervisor pursuant to this section.

(2)

(A) In cooperation with other state, federal, and international regulatory agencies, the commissioner shall identify a single group-wide supervisor for an internationally active insurance group. The commissioner may determine that the commissioner is the appropriate group-wide supervisor for an internationally active insurance group that conducts substantial insurance operations concentrated in this state, or the commissioner may acknowledge that a regulatory official from another jurisdiction is the appropriate group-wide supervisor for the internationally active insurance group. The commissioner shall consider the following factors when making a determination or acknowledgement under this subsection (d):

(i) The place of domicile of the insurers within the internationally active insurance group that hold the largest share of the group's written premiums, assets, or liabilities;

(ii) The place of domicile of the top-tiered insurer or insurers in the insurance holding company system of the internationally active insurance group;

(iii) The location of the executive offices or largest operational offices of the internationally active insurance group;

(iv) Whether another regulatory official is acting or is seeking to act as the group-wide supervisor under a regulatory system that the commissioner determines to be:

(a) Substantially similar to the system of regulation provided under the laws of this state; or

(b) Otherwise sufficient in terms of providing for group-wide supervision, enterprise risk analysis, and cooperation with other regulatory officials; and

(v) Whether another regulatory official acting or seeking to act as the group-wide supervisor provides the commissioner with reasonably reciprocal recognition and cooperation.

(B) However, a regulatory official identified under this section as the group-wide supervisor may determine that it is appropriate to acknowledge another supervisor to serve as the group-wide supervisor. The acknowledgement of the group-wide supervisor must be made after consideration of the factors listed in subdivisions (d)(2)(A)(i)-(v), and must be made in cooperation with and subject to the acknowledgement of other regulatory officials involved with the supervision of members of the internationally active insurance group, and in consultation with the internationally active insurance group.

(3) Notwithstanding any other law, when another regulatory official is acting as the group-wide supervisor of an internationally active insurance group, the commissioner shall acknowledge that regulatory official as the group-wide supervisor. However, the commissioner shall make a determination or acknowledgement as to the appropriate group-wide supervisor for the internationally active insurance group pursuant to subdivision (d)(2) if a material change in the internationally active insurance group results in:

(A) The internationally active insurance group's insurers domiciled in this state holding the largest share of the group's premiums, assets, or liabilities; or

(B) This state being the place of domicile of the top-tiered insurer or insurers in the insurance holding company system of the internationally active insurance group.

(4) Pursuant to § 56-11-107, the commissioner is authorized to collect from any insurer registered pursuant to § 56-11-105 all information necessary to determine whether the commissioner may act as the group-wide supervisor of an internationally active insurance group or if the commissioner may acknowledge another regulatory official to act as the group-wide supervisor. Prior to issuing a determination that an internationally active insurance group is subject to group-wide supervision by the commissioner, the commissioner shall notify the insurer registered pursuant to § 56-11-105 and the ultimate controlling person within the internationally active insurance group. The internationally active insurance group has not less than thirty (30) days to provide the commissioner with additional information pertinent to the pending determination. The commissioner shall publish on the website of the department the identity of internationally active insurance groups that the commissioner has determined are subject to group-wide supervision by the commissioner.

(5) If the commissioner is the group-wide supervisor for an internationally active insurance group, the commissioner is authorized to:

(A) Assess the enterprise risks within the internationally active insurance group to ensure that:

(i) The material financial condition and liquidity risks to the members of the internationally active insurance group that are engaged in the business of insurance are identified by management; and

(ii) Reasonable and effective mitigation measures are in place;

(B) Request, from any member of an internationally active insurance group subject to the commissioner's supervision, information necessary and appropriate to assess enterprise risk, including, but not limited to, information about the members of the internationally active insurance group regarding:

(i) Governance, risk assessment, and management;

(ii) Capital adequacy; and



(iii) Material intercompany transactions;

(C) Coordinate and, through the authority of the regulatory officials of the jurisdictions where members of the internationally active insurance group are domiciled, compel development and implementation of reasonable measures designed to ensure that the internationally active insurance group is able to timely recognize and mitigate enterprise risks to members of the internationally active insurance group that are engaged in the business of insurance;

(D) Communicate with other state, federal, or international regulatory agencies for members within the internationally active insurance group and share relevant information subject to the confidentiality provisions of § 56-11-108, through supervisory colleges as set forth in this section, or otherwise;

(E) Enter into agreements with or obtain documentation from any insurer registered under § 56-11-105, any member of the internationally active insurance group, and any other state, federal, or international regulatory agencies for members of the internationally active insurance group, providing the basis for or otherwise clarifying the commissioner's role as group-wide supervisor, including provisions for resolving disputes with other regulatory officials. The agreements or documentation do not serve as evidence in any proceeding that any insurer or person with an insurance holding company system not domiciled or incorporated in this state is doing business in this state or is otherwise subject to jurisdiction in this state; and

(F) Engage in other group-wide supervision activities consistent with the authority and purposes enumerated in this section and considered necessary by the commissioner.

(6) If the commissioner acknowledges that another regulatory official from a jurisdiction that is not accredited by the National Association of Insurance Commissioners is the group-wide supervisor, the commissioner is authorized to reasonably cooperate, through supervisory colleges or otherwise, with group-wide supervision undertaken by the group-wide supervisor if:

(A) The commissioner's cooperation complies with the laws of this state; and

(B) The regulatory official acknowledged as the group-wide supervisor also recognizes and cooperates with the commissioner's activities as a group-wide supervisor for other internationally active insurance groups where applicable. Where such recognition and cooperation is not reasonably reciprocal, the commissioner is authorized to refuse recognition and cooperation.

(7) The commissioner is authorized to enter into agreements with or obtain documentation from any insurer registered under § 56-11-105, any affiliate of the insurer, and other state, federal, or international regulatory agencies for members of the internationally active insurance group that provide the basis for or otherwise clarify a regulatory official's role as group-wide supervisor.

(8) The commissioner may promulgate rules necessary for the administration of this section. All rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

(9) A registered insurer subject to this section is liable for and shall pay the reasonable expenses of the commissioner's participation in the administration of this section, including the engagement of attorneys, actuaries, and any other professionals, and all reasonable travel expenses.

SECTION 17. The headings to sections and subsections in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 18.

(a) This act, with the exception of Section 8, shall take effect upon becoming a law, the public welfare requiring it.

(b) For the purposes of rulemaking, Section 8 of this act shall take effect upon becoming a law, the public welfare requiring it.

(c) For all other purposes, Section 8 shall take effect January 1, 2019, the public welfare requiring it, and the requirement to file the CGAD shall begin in the 2019 calendar year.

On motion, Insurance and Banking Committee Amendment No. 1 was adopted.

Rep. Curcio moved that **House Bill No. 1808**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 90  
Noes..... 0

Representatives voting aye were: Akbari, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Goins, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith,

Staples, Stewart, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 90

A motion to reconsider was tabled.

**EXCUSED**

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Fitzhugh

**RECESS MOTION**

Rep. Williams moved that the House stand in recess for 30 minutes, which motion prevailed.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Madam Speaker Harwell.

**ROLL CALL DISPENSED**

On motion of Rep. Casada the roll call was dispensed with.

**EXCUSED**

The Speaker announced that the following member has been excused, pursuant to request under **Rule No. 20**:

Representative Goins

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 1109** -- Education - As introduced, removes requirement that an eligible student be previously enrolled in a public school for two semesters prior to receiving an individualized education account, attend a Tennessee school for the first time, or receive an account in the previous school year in order to be considered eligible to receive an individualized education account. - Amends TCA Title 49. by \*DeBerry. (\*SB987 by \*Kelsey, \*Gardenhire)

Rep. DeBerry moved that House Bill No. 1109 be passed on third and final consideration.

Rep. Forgety moved adoption of Education Instruction & Programs Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 1109 by deleting all language after the enacting clause and substituting instead the following:

**SECTION 1.**

(a) The office of research and education accountability (OREA) in the office of the comptroller of the treasury shall study and report on local education agencies' use of the substantial funding increases provided by the state share of funds generated for components within the instructional salaries and wages category of the basic education program in fiscal years 2015-2016, 2016-2017, and 2017-2018. The study shall include, but not be limited to:

(1) The reasons that a record increase in state funding for teachers has resulted in stagnation of local contributions to instructional salaries and benefits;

(2) The percentage and amount of funding used for current teacher salary increases, and the basis for those salary increases;

(3) The percentage and amount of funding used for current teacher benefit changes, and the basis for those changes;

(4) The percentage and amount of funding used for hiring new teachers;

(5) The percentage and amount of funding used for teacher aides, assistants, or similar positions; and

(6) Any instances of funding provided by the state share of funds generated for components within the instructional salaries and wages category of the basic education program that are not utilized for that purpose.

(b) The department of education shall provide OREA any information needed and requested for purposes of the study conducted pursuant to subsection (a).

(c) OREA shall report its findings to the education committee of the senate and the education administration and planning committee of the house of representatives no later than January 31, 2019.

**SECTION 2.** This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Instruction & Programs Committee Amendment No. 1 was adopted.

Rep. Lamberth requested that Amendment No. 2 be rolled one space.

Rep. Fasion moved that the House consider House Amendment No. 3 pursuant to **Rule No. 60 (B)**, which motion prevailed by the following vote:

Ayes ..... 82  
Noes..... 6  
Present and not voting..... 1

Representatives voting aye were: Akbari, Beck, Boyd, Brooks K., Butt, Byrd, Calfee, Camper, Carr, Casada, Clemmons, Coley, Cooper, Crawford, Daniel, DeBerry, Doss, Dunn, Eldridge, Farmer, Favors, Gant, Gilmore, Halford, Hardaway, Hawk, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Turner, Van Huss, Vaughan, Weaver, White D., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 82

Representatives voting no were: Brooks H., Carter, Forgety, Hazlewood, McCormick, White M. -- 6

Representatives present and not voting were: Curcio -- 1

Rep. Fasion moved adoption of House Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 1109 by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 49-1-302(d)(2)(E), is amended by adding the following language as a new subdivision:

( ) For the 2017-2018 through 2019-2020 school years, student growth evaluation composites generated by assessments administered in the 2017-2018 school year shall be excluded from the student growth measure as specified in subdivision (d)(2)(B)(ii) if such exclusion results in a higher evaluation score for the teacher or principal. The qualitative portion of the evaluation shall be increased to account for any necessary reduction to the student growth measure.

On motion, House Amendment No. 3 was adopted.

Rep. Lamberth moved that the House consider House Amendment No. 2 pursuant to **Rule No. 60 (B)**, which motion prevailed by the following vote:

Ayes ..... 76  
Noes..... 11

Representatives voting aye were: Alexander, Beck, Boyd, Brooks K., Butt, Byrd, Calfee, Carr, Casada, Clemmons, Coley, Crawford, Daniel, Dunn, Eldridge, Faison, Favors, Gant, Gilmore, Halford, Hardaway, Hawk, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Matlock, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Turner, Van Huss, Vaughan, Weaver, Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 76

Representatives voting no were: Brooks H., Carter, Curcio, Farmer, Forgety, Hazlewood, Hicks, Kane, Marsh, McCormick, White M. -- 11

Rep. Lamberth moved adoption of House Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 1109 by adding the following new section immediately preceding the effective date section and renumbering the effective date section accordingly:

SECTION \_\_. Tennessee Code Annotated, Title 49, Chapter 6, Part 60, is amended by adding the following language as a new section:

Beginning with the 2018-2019 school year, TNReady assessments shall not be administered in computerized formats, but shall instead be administered in paper testing formats.

Rep. Casada moved the previous question on House Amendment No. 2 , which motion prevailed.

**BILL RE-REFERRED**

Rep. K. Brooks moved that **House Bill No. 1109** be re-referred to the Finance, Ways & Means Committee, which motion prevailed by the following vote:

Ayes ..... 65  
Noes..... 29

Representatives voting aye were: Alexander, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Farmer, Forgety, Gant, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent,

Sexton C., Sexton J., Smith, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Wirgau, Madame Speaker Harwell -- 65

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, Faison, Favors, Gilmore, Hardaway, Holt, Jernigan, Jones, Kumar, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Shaw, Sherrell, Sparks, Staples, Stewart, Thompson, Towns, Turner, Windle, Zachary -- 29

A motion to reconsider was tabled.

### **REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "aye" to "no" on the motion to re-refer **House Bill No. 1109** to the Finance, Ways and Means Committee and have this statement entered in the Journal: Rep. Lollar.

### **REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 2150** -- Professions and Occupations - As introduced, creates the professional art therapist advisory committee of the board of examiners in psychology to regulate the practice of art therapy. - Amends TCA Title 4, Chapter 29, Part 2 and Title 63. by \*Pitts, \*Ramsey. (SB2127 by \*Jackson)

Rep. Pitts moved that **House Bill No. 2150** be reset for the the Regular Calendar on April 19, 2018, which motion prevailed.

**\*House Bill No. 1345** -- Taxes, Exemption and Credits - As introduced, establishes a pilot program to issue franchise and excise tax credits to shippers making shipments into and from Shelby County; requires a shipper to establish and implement a turn-around policy that meets certain requirements. - Amends TCA Title 55 and Title 67. by \*Camper. (SB1277 by \*Norris)

Rep. Camper moved that House Bill No. 1345 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

#### **Amendment No. 1**

AMEND House Bill No. 1345 by deleting all language after the enacting clause and substituting instead the following:

#### **SECTION 1.**

(a) As used in this act:

(1) "Accessorial services":

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(A) Means any service that is incidental to transportation services; and

(B) Includes storage, packing, unpacking, hoisting or lowering, waiting time, overtime loading and unloading, and reweighing;

(2) "Best interests of the state" means a determination by the commissioner, with approval by the commissioner of economic and community development, that the qualified transportation expenditures are a result of the credit described in this act;

(3) "Freight motor vehicle" means a motor vehicle that is designed and used primarily to transport goods for hire or for commercial purposes;

(4) "Goods" means personal property that is treated as movable for the purposes of a contract for transportation services;

(5) "Line haul services" means the movement of goods over the public highways from the point of origination to the final destination;

(6) "Motor carrier" means a person who operates or causes to be operated a freight motor vehicle on a public highway for the purpose of performing transportation services;

(7) "Person" means every individual, firm, association, joint-stock company, syndicate, partnership, corporation, or other business entity;

(8) "Qualified transportation expenditures" means the total charges incurred by a shipper for line haul services, transportation services, and accessorial services performed by a motor carrier for shipments picked up at points of origination within this state or delivered to final destinations within this state;

(9) "Shipper" means any person that enters into a contract for transportation services with a motor carrier;

(10) "Transportation services" means the pickup or delivery, or both, of goods at the point of origination or final destination; and

(11) "Turn-around policy" means the uniform and internal policy established by a shipper that meets the requirements of subdivision (c)(2).

(b) The Tennessee advisory commission on intergovernmental relations (TACIR) is directed to perform a study of the potential, overall effects of creating a franchise and excise tax credit for shippers with pickups or deliveries originating in, or destined to, any county having a population over nine hundred



thousand (900,000) according to the 2010 federal census or any subsequent federal census.

(c) In conducting the study under subsection (b), TACIR shall consider a franchise and excise tax credit that meets the following criteria:

(1) The credit would be allowed to any shipper that establishes and implements a turn-around policy pursuant to subdivision (c)(2) against the sum total of the franchise and excise taxes owed by the shipper, equal to two percent (2%) of qualified transportation expenditures;

(2) To qualify for the credit described in this act, the shipper would establish and implement a uniform and internal turn-around policy for assuring that pickups and deliveries are performed during the period of time agreed upon by a motor carrier and a shipper and for preventing delays in the timely transportation of goods over the public highways. The policy must include the following minimum requirements:

(A) That pickups and deliveries shall be accomplished on the date scheduled for pickup or delivery, that pickups must be completed within the period of time agreed to by the shipper and the motor carrier, which period shall not exceed two (2) hours, and that deliveries must be completed within the period of time agreed to by the shipper and the motor carrier, which period shall not exceed two (2) hours; and

(B) That for each shipment of goods for which transportation services of the motor carrier is requested by a shipper, the shipper shall provide the motor carrier with contact information for:

(i) Any person who may authorize pickup or delivery of any goods to be transported if the shipper designates such a person;

(ii) The shipper and any person receiving the pickup or delivery, if different from the shipper; and

(iii) Any person to whom notification of delays or that goods are available for pickup or delivery, shall be given;

(3) The credit would only be available upon a determination by the commissioner of revenue, with approval by the commissioner of economic and community development, that the qualified transportation expenditures and the credit are in the best interests of the state;

(4) The credit would apply only in the tax year in which the shipper implements a turn-around policy meeting the criteria in

subdivision (c)(2), incurs qualified transportation expenditures, and otherwise meets the requirements of this act; and

(5) The total credit claimed for any taxable year, including the amount of any carryforward credit claimed, would not exceed fifty percent (50%) of the combined franchise and excise tax liability shown by the return before any credit is taken. Any unused credit could be carried forward in any tax period until the credit is taken; provided, however, that the credit could not be carried forward for more than fifteen (15) years.

(d) All appropriate state agencies and departments shall provide assistance to TACIR upon the request of its executive director.

(e) TACIR shall submit a report disclosing the findings of the study and recommendations, including any proposed legislation or interim reports, to the general assembly no later than February 1, 2020.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Camper moved that **House Bill No. 1345**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	86
Noes.....	6
Present and not voting.....	1

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Byrd, Calfee, Camper, Carr, Carter, Clemmons, Coley, Cooper, Crawford, Curcio, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Holsclaw, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Madame Speaker Harwell -- 86

Representatives voting no were: Butt, Daniel, Hill T., Holt, Howell, Zachary -- 6

Representatives present and not voting were: Sherrell -- 1

A motion to reconsider was tabled.

### SPECIAL ORDER

Without objection, Rep. Williams moved the House to take up the Appropriations Calendar at this time as follows:

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**APPROPRIATIONS CALENDAR**

**House Bill No. 2644** -- Appropriations - As introduced, makes appropriations for the fiscal years beginning July 1, 2017, and July 1, 2018. by \*Sargent. (\*SB2552 by \*Norris)

Rep. Sargent moved that House Bill No. 2644 be passed on third and final consideration.

Rep. Sargent requested that Finance, Ways & Means Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 2644 **ADMINISTRATION AMENDMENT**

by adding the following Sections between Sections 55 and 56 of the bill and by renumbering the Sections accordingly.

**ADDITIONAL 2018-2019 APPROPRIATIONS**

SECTION 56. Other Additions to Budget. In addition to the amounts appropriated in Sections 1 and 4 of this act, the following amounts are appropriated, and the Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust federal aid and other departmental revenues and position authorizations accordingly. Full-time (FT) and part-time (PT) position authorizations are estimated in the text of the following line items.

Item 1. General Fund and Education Fund Appropriations. The following appropriations are from the general fund and education fund, as applicable.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. Children's Services – ACE Research Funding	\$ 1,200,000	\$ 0
2. Children's Services – ACE Awareness Foundation	0	420,000
3. Court System – Courtroom Security – Grants	0	1,000,000
4. Court System – Senior Judge for Drug Courts	0	256,700
5. District Attorneys Conference – Assistant District Attorneys for Recovery Courts (4 FT)	467,600	0
6. Economic & Community Development –	0	5,000,000

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

Broadband Initiative		
7. Economic & Community Development – NCSL Legislative Summit	0	300,000
8. Economic & Community Development – Data Alignment Coordinator (1 FT)	100,000	0
9. Education – Data Alignment Funding – Transfer to E&CD	(50,000)	0
10. Education – School Safety	5,200,000	25,000,000
11. Education – Seat Belts – Grants	0	3,000,000
12. Education – Centers of Regional Excellence (CORE) (16 FT)	1,000,000	0
13. Education – Save the Children Literacy Grant	0	1,000,000
14. Environment & Conservation – Pikeville Water Development Project	0	900,000
15. Environment & Conservation – West TN River Basin Authority - Maintenance	400,000	0
16. Environment & Conservation – West TN River Basin Authority – Operations (3 FT)	230,000	130,000
17. Historical Commission – Halbrook Railroad and Local History Museum – Grant	19,000	0
18. Finance & Administration – Victims of Human Trafficking – Grants	0	550,000
19. Health Services and Development Agency – Web-based Application System	0	250,000
20. Higher Education – Tennessee Tech – Carnegie Classification – Year 2	700,000	0
21. Higher Education – Southern College of Optometry - Grant	300,000	0
22. Higher Education – Tennessee Colleges of Applied Technology – Equipment	0	9,000,000
23. Higher Education – UT Health Science Center – Addiction Science	0	2,000,000
24. Higher Education – Tennessee Board of Regents – Mechatronics Expansion	0	1,000,000
25. Mental Health & Substance Abuse Services – East TN Mental Health Hospitals	0	1,000,000
26. Mental Health & Substance Abuse Services – Treatment and Recovery Services	1,000,000	0
27. Mental Health & Substance Abuse Services – Centerstone Military Services - Grant	300,000	0
28. Safety – Homeland Security Staffing (5 FT)	252,800	0
29. TennCare – DIDD Provider Rate Increase	3,200,000	0
30. Transportation – Aeronautics Development Fund – General Fund Subsidy	0	10,000,000
31. Transportation – Oak Ridge Gateway Project – ORNL Monument Interstate Signs – General Fund Subsidy	0	500,000

32. Treasury Department – DUI Monitoring Fund – General Fund Subsidy	0	500,000
33. Miscellaneous Appropriations – Women's Basketball Hall of Fame – Grant	0	200,000
34. Miscellaneous Appropriations – Great Smoky Mountains Heritage Center – Grant	0	400,000
35. Miscellaneous Appropriations – Henry County – Grant	0	200,000
36. Miscellaneous Appropriations – Urban Historical National Preservation – Grant	0	155,000
37. Miscellaneous Appropriations – Roane State Community College – Exposition Center	0	300,000
38. Miscellaneous Appropriations – Jackson Theatre – Jonesborough – Grant	0	500,000
39. Miscellaneous Appropriations – Rescue Squad Association – Grant	0	28,700
40. Miscellaneous Appropriations – Miss Tennessee Pageant	15,000	0
41. Miscellaneous Appropriations – Automotive Testing Facility Feasibility Study	0	250,000
<b>Total</b>	<b>\$ 14,334,400</b>	<b>\$ 63,840,400</b>

The appropriation in this item to the Department of Finance and Administration for victims of human trafficking grants is for the sole purpose of providing grants to Thistle Farms and to the four (4) single point of contact agencies in Tennessee recognized by the Tennessee Bureau of Investigation and the Department of Children's Services to facilitate the provision of comprehensive wraparound services to the victims of human trafficking recovered in Tennessee. The services funded in this item shall include, but not be limited to, safe housing, medical care, mental health and substance abuse care, transportation, job training, and other basic human needs. The Department shall distribute the grants in equal amounts to Thistle Farms and to the following single point of contact agencies: (a) Grow Free Tennessee in Knoxville; (b) Second Life in Chattanooga; (c) Restore Corps in Memphis; and (d) End Slavery Tennessee in Nashville.

The appropriation in this item to the Department of Education for school safety is in addition to an amount of \$4,800,000 (recurring) appropriated in Section 1, Title III-9 of this act and shall be disbursed pursuant to the guidelines established in Tennessee Code Annotated, Section 49-6-4302(c). Provided, further, of the non-recurring appropriation in this item to the Department of Education for school safety, an amount of \$10,000,000 is subject to Senate Bill No. 2553 / House Bill No. 2646 becoming a law, the public welfare requiring it. If the cited bill does not become law, the appropriation in this item is hereby reduced in the amount of \$10,000,000.

The appropriation in this item to the Department of Education for seat belt grants shall be subject to guidelines and local education agency matching requirements as determined by the department.

Item 2. Dedicated Source Appropriations. The following appropriations are from dedicated state revenue sources and departmental revenues.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. Health – Medical Licensure Compact – Medical Examiners and Osteopathic Examiners	\$ 62,300	\$ 4,300
<b>Total</b>	<b>\$ 62,300</b>	<b>\$ 4,300</b>

SECTION 57. Legislation. In addition to the appropriations in Sections 1 and 4 of this act, the following amounts hereby are appropriated for the purpose of implementing the cited bills, and such additional or lesser amounts indicated in the final fiscal note on the bills as enacted are hereby appropriated. The Commissioner of Finance and Administration is authorized to allocate the appropriations to the appropriate organizational units and to adjust federal aid and other departmental revenues and authorized positions accordingly. Federal and other departmental revenue adjustments may be made in reconciliation to said fiscal notes and to available federal aid and other departmental revenue. Adjustments to the number of authorized positions indicated in the line items as full-time (FT), part-time (PT), and seasonal shall be reconciled to the fiscal notes. The negative amounts in line-items of this section are appropriation reductions, and the positive amounts are appropriation increases. The appropriation in each item of this section is subject to the bill cited in that item becoming a law, except as otherwise provided.

Item 1. General Fund and Education Fund Appropriations. The following appropriations are from the general fund and education fund, as applicable.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. SB 2236 / HB 1812 – Film & TV Commission – Visual Content Act of 2006	\$ 52,100	\$ 0
2. SB 2234 / HB 1810 – Correction – Earned Compliance Credits (-12 FT)	2,216,600	0
3. SB 2258 / HB 1832 – Correction – Sentence Reduction Credits – Fiscal Note Reconciliation	13,100	0
4. SB 2553 / HB 2646 - Budget Implementation - General Law Changes - Sum Sufficient Estimated @ \$0	0	0
5. SB 2247 / HB 1822 – Human Services –	0	(3,100)

	Program Integrity – Fiscal Note Reconciliation		
6.	SB 280 / HB 149 – Miscellaneous Appropriations – No Judicial Diversion for Charges of Incest – Fiscal Note Reconciliation	33,500	0
7.	SB 270 / HB 268 – Miscellaneous Appropriations – Vehicle Registration Exemptions – Fiscal Note Reconciliation	59,900	0
8.	SB 2261 / HB 2271 – Juvenile Justice	4,500,000	0
9.	SB 1875 / HB 1936 – Correction – Incarceration – Henry's Law	113,200	0
	<b>Total</b>	<b>\$ 6,988,400</b>	<b>\$ (3,100)</b>

Item 2. Dedicated Source and Earmarked Appropriations. The following appropriations are from dedicated state revenue sources and departmental revenues.

	<u>Recurring</u>	<u>Non-Recurring</u>
1. SB 2243 / HB 1819 – Financial Institutions – Financial Institutions Conversion Act	\$ 1,000	\$ 0
2. SB 2253 / HB 1828 – Department of Finance & Administration – Ignition Interlock – Fiscal Note Reconciliation	46,000	0
3. SB 2253 / HB 1828 – Department of Safety – Ignition Interlock – Fiscal Note Reconciliation	(46,000)	0
4. SB 270 / HB 268 – Miscellaneous Appropriations – Vehicle Registration Exemptions – Highway Fund – Fiscal Note Reconciliation	528,500	0
5. SB 2026 / HB 2084 – TennCare – Hospital Assessment – Fiscal Note Reconciliation	0	191,200
6. SB 1781 / HB 1848 – TennCare – Nursing Home Assessment – Fiscal Note Reconciliation	0	9,061,000
7. SB 1823 / HB 1837 – TennCare – Ambulance Assessment – Fiscal Note Reconciliation	0	530,300
8. SB 2626 / HB 1862 – TBI – Expungements Reduction	(144,200)	0
<b>Total</b>	<b>\$ 385,300</b>	<b>\$ 9,782,500</b>

SECTION 58. Cost Increase Reductions. The appropriations in Section 1 of this act, except as otherwise provided herein, hereby are reduced in the following amounts for the purpose of deleting cost increase appropriations and positions that had been recommended in the 2018-2019 Budget Document, and the Commissioner of Finance and Administration is authorized to allocate the appropriation reductions to the appropriate organizational units and to adjust federal aid and other departmental revenues and authorized positions accordingly.

Item 1. The appropriation in Section 1, Title III-22, Item 11.1, Administration Amendment, hereby is reduced in the amount of \$11,500,000 recurring.

### **CAPITAL OUTLAY – ADDITIONAL PROVISIONS**

SECTION 59. Capital Outlay Additional Provisions. The following provisions are in addition to other provisions of this act concerning the capital outlay budget and the facilities revolving fund capital outlay budget.

Item 1. The provisions of this item shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated the following amounts, which shall be in addition to the appropriations provided in Public Acts of 2017, Chapter 460, and in Section 38 of this act.

(a) Department of General Services, Facilities Revolving Fund – Tennessee Tower Print Shop Renovation, in the amount of \$500,000.

Item 2. In addition to the Facilities Revolving Fund capital maintenance projects listed on page A-158 of the 2018-2019 Budget Document and in Section 1, Title III-29, and Section 4, Title III-27 of this act, the following amounts hereby are funded.

(a) Department of General Services – Rachel Jackson Building – Phase 1 Renovation, in the amount of \$1,040,000 from the reserves of the state office buildings and support facilities revolving fund.

Item 3. In addition to the capital outlay projects listed on pages A-133 through A-137 of the 2018-2019 Budget Document and in Section 1, Title III-32 of this act, the following hereby are funded.

(a) Department of Environment and Conservation – Cedars of Lebanon State Park – New Splash Pad, in the amount of \$800,000 from federal aid funds and other funds.

(b) University of Tennessee – UT Ellington Project Planning Funds, in the amount of \$2,000,000.

(c) Tennessee Board of Regents – Walters State Community College – Greeneville Campus, in the amount of \$2,240,000.



(d) Department of Veterans Services – New Veterans Cemetery Land Purchase, Upper Cumberland, in the amount of \$600,000.

(e) Tennessee State Veterans Home Board – Cleveland Veterans Home additional funds, in the amount of \$3,000,000.

(f) Department of General Services – Rhea County Courthouse Renovation - Grant, in the amount of \$500,000.

Item 4. Of the capital outlay projects listed on pages A-133 through A-137 of the 2018-2019 Budget Document and in Section 1, Title III-32 of this act, the following hereby are reduced.

(a) Tennessee Board of Regents – TCAT Improvements Phase III, in the amount of \$1,492,000 from other funds.

Item 5. Of the capital maintenance projects listed on pages A-133 through A-137 of the 2018-2019 Budget Document and Section 1, Title III-32 of this act, the following hereby are funded.

(a) Department of Environment and Conservation – Natchez Trace Inn Refurbishment, in the amount of \$450,000 from federal aid funds and other sources.

(b) Department of Environment and Conservation – Old Stone Fort Campground, in the amount of \$1,200,000 from federal aid funds and other sources.

(c) Tennessee Board of Regents – Management Support Services, in the amount of \$500,000. This appropriation is in addition to the amounts recommended on page A-137 of the 2018-2019 Budget Document for Management Support Services.

## **SECTION 2 – CAPITAL OUTLAY AND MAJOR MAINTENANCE**

**AND FURTHER AMEND** in Section 2 by deleting Item 2 in its entirety and substituting instead the following new Item 2:

Item 2. Any unexpended capital outlay or capital maintenance funds appropriated by previous General Assemblies for completed or discontinued projects shall be accumulated in a capital account to be administered by the Department of Finance and Administration. Expenditure of these funds is subject to approval by the State Building Commission upon recommendation of the University of Tennessee, State Board of Regents, boards of locally governed institutions, or Department of General Services, as applicable, and certification of available funds by the Commissioner of Finance and Administration. After such approvals and certification of available funds, the Commissioner of Finance and Administration is authorized to transfer a portion of such funds allocated to the Department of General Services from the aforementioned capital account to the state office buildings and support facilities revolving fund.

**SECTION 7 – EARMARKED APPROPRIATIONS**

**AND FURTHER AMEND** in Section 7, Item 38 by deleting the language "\$400,000" and substituting instead the language "\$700,000".

**AND FURTHER AMEND** in Section 7 by inserting the following new item at the end of the Section:

Item \_\_\_. Department of Environment and Conservation, Maintenance of Historic Sites, in Section 1, Title III-5, Item 9, an amount of \$66,000 (non-recurring) is for the sole purpose of supplementing funding available for historic sites acquisition, improvements, maintenance, and interpretation at the Parker's Crossroads Battlefield. This item is subject to the provisions of Section 21 of this act.

**SECTION 9 – SUM SUFFICIENT FROM DEPARTMENTAL REVENUES**

**AND FURTHER AMEND** in Section 9 by inserting the following new item at the end of the Section:

Item \_\_\_. To the State Treasurer, TN Stars College Savings 529 Program, from funds transferred into the program from the Small and Minority-Owned Business Assistance Program pursuant to Tennessee Code Annotated, Section 65-5-113(c).

**SECTION 17 – GROUP HEALTH INSURANCE FOR STATE EMPLOYEES**

**AND FURTHER AMEND** in Section 17 by inserting the following new item at the end of the Section:

Item \_\_\_. From the funds appropriated in this act for the purpose of funding the state's liability for employee participation in the state group health insurance program, the Commissioner of Finance and Administration is authorized to adjust allotments to the various departments, agencies, boards and commissions of state government and to the institutions of higher education in order to recognize non-recurring savings which may be generated by actions of the state insurance committee. The Commissioner is further authorized to adjust federal aid and other departmental revenues, to adjust appropriations to dedicated and earmarked sources, and to reallocate general fund appropriations.

**SECTION 23 – BUDGET AND POSITIONS RECONCILIATION, ALLOTMENT, AND REPORTING**

**AND FURTHER AMEND** in Section 23 by inserting the following new item at the end of the Section:

Item \_\_\_. Recognizing the Save the Children Literacy grant pilot program has been funded for over ten years, the Comptroller of Treasury is directed to conduct a comprehensive review of the program and report such findings to the Chairs of the Finance, Ways and Means Committees of the Senate and the House of Representatives and the Commissioner of Finance and Administration by December 1, 2018. Such review may include the expenditure of funds, the number of children served, the level of local financial support and participation, any established program measures or outcomes and any other information regarding the program's effectiveness to improve child literacy.

**SECTION 29 – HIGHER EDUCATION**

**AND FURTHER AMEND** in Section 29 by deleting Item 28 and inserting the following new item at the end of the Section:

Item 28. From the funds appropriated in Section 1, Title III-32, for capital outlay, the Commissioner of Finance and Administration is authorized, subject to approval of the Tennessee Board of Regents, the presidents of the locally governed institutions, and the Tennessee Higher Education Commission, to transfer appropriations from the locally governed institutions to the Tennessee Board of Regents.

**HIGHER EDUCATION DISCLOSED CAPITAL OUTLAY FROM SCHOOL BONDS AND INSTITUTIONAL SOURCES**

**AND FURTHER AMEND** in Section 29 by inserting the following new item at the end of the Section:

Item \_\_\_. The capital outlay projects listed in the 2018-2019 Budget Document and which are identified with the heading "Proposed Capital Projects from School Bonds and Other Sources, Fiscal Year 2018-2019," are presented for informational purposes only. The projects are subject to recommendation and approval procedures involving the higher education institutions and their governing boards, the Tennessee Higher Education Commission, Department of Finance and Administration, the Tennessee State School Bond Authority, the State Funding Board and the State Building Commission.

The following proposed capital outlay projects, to be funded from school bonds, institutional/auxiliary and other funds, are in addition to those projects listed on pages A-138 and A-139 in the 2018-2019 Budget Document:

**State University and Community College System  
(Locally Governed Institutions):**

**Middle Tennessee State University:**

Academic Classroom Building	\$	2,900,000
Athletic Video Board Upgrades		1,500,000
Baseball Weight Room		600,000
Tennis Improvements		3,000,000
Women's Softball Facility Upgrades		1,000,000
Total MTSU	\$	<u>9,000,000</u>
<b>Tennessee State University:</b>		
Alumni House and Visitor Center	\$	2,000,000
<b>Tennessee Technological University:</b>		
Cooper/Dunn Residence Hall Upgrade	\$	6,700,000
Engineering and Research Facility		500,000
Facilities Services Complex		10,100,000
Total TTU	\$	<u>17,300,000</u>
<b>University of Memphis:</b>		
Child Development Center	\$	550,000
Lambuth Wilder and Hamilton Roof		320,000
Living Learning Center HVAC Drains		650,000
Natatorium Facility Improvements		6,000,000
Total UoM	\$	<u>7,520,000</u>
<b>Total State University and Community College System</b>	<b>\$</b>	<b><u>35,820,000</u></b>
<b>Grand Total</b>	<b>\$</b>	<b><u><u>35,820,000</u></u></b>

The request for the Pellissippi Community College Blount College Greenhouse in the amount of \$90,000, as identified on page A-138 of the 2018-2019 Budget Document, is hereby renamed Pellissippi Community College Blount County Greenhouse.

The request for the University of Tennessee Chattanooga Mapp Bldg. Manufacturing Lab and Entrepreneurial Center in the amount of \$1,290,000, as identified on page A-138 of the 2018-2019 Budget Document, is to be cancelled.

The request for the University of Tennessee Health Science Center Bioworks Acquisition in the amount of \$25,010,000, as identified on page A-139 of the 2018-2019 Budget Document, is to be cancelled.

**SECTION 32 – FASTTRACK INFRASTRUCTURE DEVELOPMENT AND JOB TRAINING ASSISTANCE**

**AND FURTHER AMEND** in Section 32 by inserting the following new item at the end of the Section:

Item \_\_\_. In the fiscal year ending June 30, 2018, from the funds appropriated to the FastTrack Infrastructure Development and Job Training Assistance program in Chapter 460, Public Acts of 2017, an amount of \$5,000,000 is earmarked to provide job training assistance at Pellissippi State Community College for the DENSO FastTrack project described on page A-29 of the 2018-2019 Budget Document. The provisions of this item shall take effect upon becoming a law, the public welfare requiring it.

**SECTION 36 – CARRY-FORWARD AND APPROPRIATION OF CERTAIN UNEXPENDED BALANCES**

**AND FURTHER AMEND** in Section 36 by inserting the following new items at the end of the Section:

Item \_\_\_. To the Judicial Branch, Appellate and Trial Courts, in Section 1, Title II, Item 1, the unexpended balance of the \$2,000,000 appropriation for courtroom security.

Item \_\_\_. To Higher Education, THEC Grants, in Section 64, Item 21, the unexpended balance of the \$750,000 appropriation for making grants to fund student financial aid for individuals enrolled in a new medical education program jointly administered by Middle Tennessee State University and Meharry Medical College.

Item \_\_\_. To the Department of Safety, Highway Patrol, in Section 1, Title III-20, Item 3, the unexpended balance of the \$8,710,000 for the replacement of a helicopter.

Item \_\_\_. To Miscellaneous Appropriations in Section 1, Title III-22, Item 3.4, the unexpended balance of the appropriation for Group Health Insurance, Other Post-Employment Benefits Liability, to be used for the purpose of paying expenses in connection with establishing the other post-employment benefits trust.

**SECTION 39 – PROGRAM EXPANSIONS FROM FEDERAL AND OTHER DEPARTMENTAL REVENUE**

**AND FURTHER AMEND** by deleting Section 39 in its entirety and inserting the following as a new Section 39:

SECTION 39. Program Expansions from Federal and Other Departmental Revenue. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. At June 30, 2018, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 2018.

There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>2017-2018</u>	<u>2018-2019</u>
Comptroller of the Treasury		
1. Division of State Audit	\$ 0	\$ 407,500
Commissions		
1. Tennessee Housing and Development Agency	0	1,366,200
Tourist Development		
1. Welcome Centers	<u>0</u>	<u>200,000</u>
<b>Total</b>	<u><b>\$ 0</b></u>	<u><b>\$ 1,973,700</b></u>

The Commissioner of Finance and Administration is authorized to establish twenty-six (26) full-time positions and to allocate them to the appropriate organizational units, including eight (8) positions in the Comptroller of the Treasury, fifteen (15) in the Tennessee Housing and Development Agency, and three (3) in the Department of Commerce and Insurance.

**SECTION 41 – PROVISIONS CONCERNING CERTAIN APPROPRIATIONS**

**AND FURTHER AMEND** in Section 41 by inserting the following new item to the end of the section:

Item \_\_. The Commissioner of Finance and Administration is authorized to adjust interdepartmental revenue estimates in the Department of Environment and Conservation, Clean Water and Drinking Water State Revolving Fund, for administrative expense reimbursement from the State Treasurer.

**SECTION 43 – OVER-APPROPRIATION – ESTIMATED REVERSION TO GENERAL FUND**

**AND FURTHER AMEND** in Section 43 by deleting Item 1(a) in its entirety and substituting instead the following:

(a) In fiscal year 2017-2018 to recognize an over-appropriation of \$179,217,700, including a base recurring over-appropriation of \$76,808,500 and a non-recurring over-appropriation of \$102,409,200.

**AND FURTHER AMEND** in Section 43 by inserting the following new item at the end of the section:

Item \_\_. In the fiscal year ending June 30, 2018, the Commissioner of Finance and Administration is hereby authorized to transfer the sum of

\$15,173,125 from the TennCare nursing home assessment trust fund to the TennCare reserve for unencumbered balances.

The provisions of this item are subject to Senate Bill No. 1781 / House Bill No. 1848 becoming a law, the public welfare requiring it.

**AND FURTHER AMEND** in Section 43 by inserting the following new item at the end of the section:

Item \_\_\_\_\_. In the fiscal year ending June 30, 2018, the Commissioner of Finance and Administration is hereby authorized to transfer the sum of \$10,000,000 from the Department of Safety handgun permit reserve to the general fund.

The provisions of this item are subject to Senate Bill No. 2553 / House Bill No. 2646 becoming a law, the public welfare requiring it.

**SECTION 50 – LOTTERY FOR EDUCATION ACCOUNT**

**AND FURTHER AMEND** in Section 50, Item 5, by deleting the item in its entirety.

**SECTION 54 – NON-RECURRING TENNCARE ASSESSMENTS**

**AND FURTHER AMEND** in Section 54 by deleting the section in its entirety and substituting instead the following:

SECTION 54. From the appropriations in Section 1, Title III-26 and Section 57 of this act, the following non-recurring amounts are appropriated to the TennCare Program.

Item 1.

(a) If Senate Bill No. 2026 / House Bill No. 2084, the annual coverage assessment act, becomes a law, there hereby is appropriated from the appropriations in Section 1, Title III-26 and Section 57, of this act, the sum of \$446,771,000 (non-recurring) to the TennCare Program for the following purposes, and the Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly; provided, however, that if the federal government disallows the coverage assessment as a valid source to match federal Medicaid funds, the appropriations in this Item 1(a) shall be null and void, and the appropriations in Section 1, Title III-26 and Section 57 shall be reduced accordingly. If the cited bill does not become a law, the appropriations in Section 1, Title III-26 and Section 57 of this act, are hereby reduced in the amount of \$446,771,000.

<u>Description</u>	<u>Amount</u>
Essential Access Hospital Payments.....	\$ 42,677,500

Disproportionate Share Hospital Payments .....	27,528,000
Graduate Medical Education .....	17,071,000
Critical Access Hospital Payments .....	3,414,200
Medicare Part A Reimbursement.....	12,137,600
Provider Reimbursement and Co-Pay .....	56,511,800
Hospital Reimbursement Ceiling.....	11,027,700
In-Patient Services .....	44,882,800
Lab and X-Ray Procedures .....	14,221,600
Therapies .....	8,636,200
Out-Patient Services .....	32,063,500
Office Visits .....	18,315,100
Match for ADT Contract Payments .....	125,000
Rate Variation Adjustment.....	191,200
Directed Hospital Payments.....	155,346,100
Non-Emergent Care at Hospitals .....	573,200
340B Pricing Provision – MCO Contractor Agreement	<u>2,048,500</u>
Total .....	\$ <u>446,771,000</u>

(b) There is further appropriated to the TennCare Program, in addition to the appropriation, Directed Hospital Payments, a sum sufficient from any amount in excess of \$446,771,000 collected from the coverage assessment for the purpose of hospital payments for unreimbursed costs.

(c) To the extent that revenue collected from the coverage assessment is less than \$446,771,000, the appropriation, Directed Hospital Payments, hereby is reduced in the amount of the under-collection.

(d) From the funds available in TennCare maintenance of coverage trust fund at June 30, 2018, there hereby is appropriated to the TennCare program a sum sufficient for the purposes authorized in law. The Commissioner of Finance and Administration is authorized to adjust



federal and other departmental revenue accordingly. The allotment of funds under this item is subject to approval of the Commissioner of Finance and Administration.

Item 2.

(a) If Senate Bill No. 1781 / House Bill No. 1848, the annual nursing home assessment fee, becomes a law, there is hereby appropriated from the appropriations in Section 1, Title III-26 and Section 57, of this act, the sum of \$130,061,000 (non-recurring) to the TennCare Program for nursing home reimbursement. Further, the Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly. If the cited bill does not become law, the appropriations in Section 1, Title III-26 and Section 57, of this act, are hereby reduced in the amount of \$130,061,000.

(b) There is further appropriated to the TennCare Program, in addition to the appropriation for nursing home reimbursement, a sum sufficient from any amount in excess of \$130,061,000 collected from the coverage assessment for the purpose of nursing home reimbursement.

(c) From the funds available in TennCare nursing home assessment trust fund at June 30, 2018, there hereby is appropriated to the TennCare program a sum sufficient for the purposes authorized in law. The Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly. The allotment of funds under this item is subject to approval of the Commissioner of Finance and Administration.

Item 3.

(a) If Senate Bill No. 1823 / House Bill No. 1837, the annual ambulance assessment fee, becomes a law, there is hereby appropriated from the appropriations in Section 1, Title III-26 and Section 57, of this act, the sum of \$10,835,000 (non-recurring) to the TennCare Program for ambulance provider reimbursement. Further, the Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly. If the cited bill does not become law, the appropriations in Section 1, Title III-26 and Section 57, of this act, are hereby reduced in the amount of \$10,835,000.

(b) There is further appropriated to the TennCare Program, in addition to the appropriation for ambulance provider reimbursement, a sum sufficient from any amount in excess of \$10,835,000 collected from the coverage assessment for the purpose of ambulance provider reimbursement.

(c) From the funds available in TennCare ambulance assessment trust fund at June 30, 2018, there hereby is appropriated to the TennCare program a sum sufficient for the purposes authorized in law. The

Commissioner of Finance and Administration is authorized to adjust federal and other departmental revenue accordingly. The allotment of funds under this item is subject to approval of the Commissioner of Finance and Administration.

**HOUSEKEEPING - TYPOGRAPHICAL, NAME, DATE, AND CITATION CORRECTIONS**

**AND FURTHER AMEND** in Section 8, Item 8 by deleting the language "Senate Bill No. \_\_\_\_ / House Bill No. \_\_\_\_" and inserting "Senate Bill No. 2253 / House Bill No. 1828";

**AND FURTHER AMEND** in Section 8, Item 12 by deleting the language "Regulatory Authority" and substituting instead the language "Public Utility Commission";

**AND FURTHER AMEND** in Section 9, Item 32, by deleting the language ", pursuant to Tennessee Code Annotated, Section 48-2-115";

**AND FURTHER AMEND** in Section 15, Item 11 by deleting the language "Regulatory Authority" and substituting instead the language "Public Utility Commission";

**AND FURTHER AMEND** in Section 51, Item 1(a) by deleting the language "beginning July 1, 2017" and substituting instead the language "beginning July 1, 2018";

**AND FURTHER AMEND** by requesting the Engrossing Clerk to:

- (1) Delete the bold underlined explanatory headings in this amendment;  
and
- (2) Exclude this paragraph from the engrossed bill.

On motion, Finance, Ways & Means Committee Amendment No. 2 was adopted.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 3 as follows:

**Amendment No. 3**

AMEND House Bill No. 2644 **LEGISLATIVE AMENDMENT**

**LEGISLATIVE ADJUSTMENTS**

**REDUCE 6.8M APPROPRIATION TO 2 TBI FUNDS**

by adding the following language at the end of subsection (c) in Section 8, Item 53:

This subsection (c) is void if Senate Bill No. 1974 / House Bill No. 1959 becomes a law.

**AND FURTHER AMEND** by adding the following language at the end of subsection (d) in Section 8, Item 53:

This subsection (d) is void if Senate Bill No. 1974 / House Bill No. 1959 becomes a law.

**DELETE TRANSFER FROM MINORITY-OWNED BUSINESS TO TN STARS**

**AND FURTHER AMEND** by deleting the following language from Section 9:

Item \_\_\_. To the State Treasurer, TN Stars College Savings 529 Program, from funds transferred into the program from the Small and Minority-Owned Business Assistance Program pursuant to Tennessee Code Annotated, Section 65-5-113(c).

**REDUCE FUNDS FOR MOTOR VEHICLE REGISTRATION SB 270 / HB 268**

**AND FURTHER AMEND** by deleting the amount "59,900" in Section 57, Item 1, line item 7 and substituting instead the amount "5,300".

**AND FURTHER AMEND** in Section 57, Item 1, by deleting the amount "6,988,400" and substituting instead the amount "6,933,800".

**REDUCE HISTORIC JACKSON THEATRE**

**AND FURTHER AMEND** by deleting the amount "500,000" in Section 56, Item 1, line item 38 and substituting instead the amount "400,000".

**MAKE MISS TENNESSEE PAGEANT FUNDS NON-RECURRING**

**AND FURTHER AMEND** in Section 56, Item 1, by deleting the following:

40.	Miscellaneous Appropriations	–		
	Miss Tennessee Pageant		15,000	0

and substituting instead the following:

40.	Miscellaneous Appropriations	–		
	Miss Tennessee Pageant		0	15,000

**REDUCE SOUTHERN COLLEGE OPTOMETRY 300K RECURRING**

**AND FURTHER AMEND** by deleting Section 56, Item 1, line item 21.

**AND FURTHER AMEND** in Section 56, Item 1, by deleting the amount "14,334,400" and substituting instead the amount "14,019,400".

**AND FURTHER AMEND** in Section 56, Item 1, by deleting the amount "63,840,400" and substituting instead the amount "63,755,400".

**REDUCE UT ELLINGTON PROJECT**

**AND FURTHER AMEND** by deleting the following language from Section 59, Item 3:

(b) University of Tennessee – UT Ellington Project Planning Funds, in the amount of \$2,000,000.

**SECTION 59 – CAPITAL OUTLAY REVISIONS**

**AND FURTHER AMEND** by adding the following language to the end of Section 59, Item 3:

**REAPPROPRIATE 8M BALANCE FOR WEST TN VETERANS HOME**

(g) Tennessee State Veterans Home Board – West Tennessee Veterans Home in Memphis, unexpended balance of the non-recurring appropriation made in Chapter 460, Public Acts of 2017, Section 64, Item 37, in the amount of \$8,000,000.

**ELIMINATE COST INCREASE FOR GRANTS TO COUNTIES TO**

**REDUCE TOBACCO-RELATED DISEASES**

**AND FURTHER AMEND** by deleting the following language from Section 36, Item 98:

, and the unexpended balance of the \$4,000,000 appropriation in Section 1, Title III-16, Item 4 of this act, for grants to counties to reduce tobacco-related diseases

**CARRYFORWARD FOR 2017 APPROPRIATION FOR 2019 NCSL**

**AND FURTHER AMEND** by deleting Section 36, Item 44 and substituting instead the following:

Item 44. To the Department of Economic and Community Development in Chapter 460, Public Acts of 2017, Section 64, Item 14; and in Chapter 758, Public Acts of 2016, Section 66, Item 18 for 2019 NCSL Annual Summit.

**DELETE CARRYFORWARD FOR 2017 ALEC**

**AND FURTHER AMEND** by deleting Section 36, Item 45.

**AND FURTHER AMEND** by adding the following new sections immediately following Section 59 and renumbering the subsequent sections accordingly:

**DEDICATED SOURCE & EARMARKS & REDUCTIONS**

SECTION 60.

**REDUCE UNIVERSITY RESEARCH FUND**

Item 1. The appropriation to the Tennessee Higher Education Commission, THEC Grants, in Section 1, Title III-10, Item 1.7, for the University Research Fund, as identified on Page B-86 of the 2018-2019 Budget Document, is reduced by the sum of \$5,000,000 (non-recurring). Such funding reduction is for the purpose of reducing funding for the University Research Fund.

**FUND SOUTHERN COLLEGE FROM THEC RESERVES**

Item 2. From reserves available to the Tennessee Higher Education Commission, there is earmarked the sum of \$300,000 (non-recurring) for the sole purpose of making a grant in such amount to the Southern College of Optometry, for the sole purpose of contract education.

**REDUCE 6.8M APPROPRIATIONS TO TBI FUNDS**

Item 3. The appropriation in Section 1, Title III-19, is reduced in the amount of \$4,555,200 (recurring) for the purpose of deleting appropriations from the TBI Drug Chemistry Unit Drug Testing Fund and the TBI Toxicology Unity Intoxicant Testing Fund. This item is subject to Senate Bill 1974 / House Bill 1959 becoming a law.

Item 4. The appropriation in Section 1, Title III-19, is reduced in the amount of \$2,268,000 (recurring). This item is subject to Senate Bill 1974 / House Bill 1959 becoming a law.

**REDUCE FASTTRACK**

Item 5. The appropriation made to the Department of Economic and Community Development for the FastTrack Infrastructure and Job Training Assistance program, in Section 1, Title III-8, Item 7, as identified on Page B-302 of the 2018-2019 Budget Document, is reduced by the sum of \$9,000,000 (non-recurring). Such funding reduction is for the sole purpose of reducing funding for the FastTrack Infrastructure and Job Training Assistance program.

**REDUCE TN STARS 529 COST INCREASE**

Item 6. The appropriation made to the State Treasurer, TN Stars College Savings 529 Program, in Section 1, Title III-1, Item 7.3, as identified on Page B-18 of the 2018-2019 Budget Document, is reduced by the sum of \$450,000 (non-

recurring). Such funding reduction is for the sole purpose of reducing funding for the TN Stars College Savings 529 Program.

**ELIMINATE ARTS & MUSIC EDUCATION POSITION**

Item 7. The appropriation to the Department of Education in Section 1, Title III-9, Item 1.1, for the purpose of adding one (1) position to oversee the music and arts grant program, as identified on Page B-84 of the 2018-2019 Budget Document, is reduced by the sum of \$135,000 (recurring). Such funding reduction is for the purpose of eliminating funding for adding such position.

**ELIMINATE COST INCREASE FOR GRANTS TO COUNTIES TO**

**REDUCE TOBACCO-RELATED DISEASES**

Item 8. The appropriation to the Department of Health, Health Services, in Section 1, Title III-16, Item 4, for grants to counties to reduce tobacco-related diseases, is reduced by the sum of \$4,000,000 (non-recurring). Such funding reduction is for the purpose of eliminating funding for grants to counties to reduce tobacco-related diseases.

**ELIMINATE COST INCREASE FOR DOE MOUNTAIN**

Item 9. The appropriation made to Miscellaneous Appropriations in Section 1, Title III-22, Item 10.16, for the Doe Mountain Recreation Authority Grant, as identified on Page B-22 of the 2018-2019 Budget Document, is reduced by the sum of \$100,000 (non-recurring). Such funding reduction is for the purpose of reducing funding for the Doe Mountain Recreation Authority Grant.

**REDUCE LED LIGHTING AND CONTROLS UPGRADES**

Item 10. The appropriation in Section 1, Title III-2, Item 4.5 is reduced by the sum of \$3,000,000 (non-recurring) for the purpose of reducing funds available for LED Lighting and Controls Upgrades.

**EARMARK ALEC FOR NCSL SUMMIT**

Item 11. The unexpended balance of the non-recurring appropriation made to the Department of Economic and Community Development in Chapter 758, Public Acts of 2016, Section 66, Item 47, in the amount of \$100,000, which was for hosting the 2017 ALEC States and Nation Policy Summit in Nashville, Tennessee, shall be earmarked to the Department in the fiscal year ending June 30, 2018, for the purpose of hosting the 2019 NCSL Annual Summit in Nashville, Tennessee. Any unexpended funds from the appropriation in this item; from the \$300,000 appropriation in Section 56, Item 1, line item 7, of this act; and from the \$500,000 appropriation in Section 36, Item 44, of this act; which are each made for the 2019 NCSL Annual Summit, shall not revert to the general fund at June

30 and shall be carried forward in a reserve at June 30 and are hereby reappropriated in the subsequent fiscal year for the 2019 NCSL Annual Summit.

**ELIMINATE TENNCARE BUILDING PURCHASE**

Item 12. The appropriation in Section 1, Title III-31, Item 5, is reduced by the sum of \$3,315,400 for the sole purpose of eliminating debt service expense for the TennCare Building Purchase listed on page A-158 of the 2018-2019 Budget Document.

**RECONCILE LEGISLATIVE INITIATIVES**

Item 13. The appropriation in Section 1, Title III-22, Item 11.2, Legislative Initiatives, hereby is reduced in the amount of \$15,000,000 (of which \$5,000,000 is recurring and \$10,000,000 is non-recurring).

**SECTION 61.**

Item 1. From the funds appropriated or available to any department, commission, board, agency, or other entity of state government, there is earmarked or appropriated, as applicable, a sum sufficient to fund any bill or resolution that becomes law, having an estimated first year's cost of \$50,000 or less, that is attributable to a specific entity or from a specific fund, and is not otherwise funded in this act.

Item 2. From the funds appropriated to the Secretary of State, there is earmarked a sum sufficient for the sole purpose of funding any joint resolution calling for an amendment to the Tennessee Constitution that is not otherwise funded in this act.

Item 3. From the funds appropriated to the Department of Economic and Community Development, there is earmarked the sum of \$1,000,000 (non-recurring) for the sole purpose of implementing Senate Bill 1649 / House Bill 1599, relative to work-based learning, if such bill becomes a law.

Item 4. From the funds appropriated to the Tennessee Bureau of Investigation, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 1697 / House Bill 1512, relative to TBI Retired Uniformed Officers, if such bill becomes a law.

Item 5. From the funds appropriated to the Department of Agriculture, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 1709 / House Bill 1601, relative to the Corn Producers Board, if such bill becomes a law.

Item 6. From the funds appropriated to the Administrative Office of the Courts, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 1808 / House Bill 1854, relative to people disqualified from jury service, if such bill becomes a law.

Item 7. From the funds appropriated to the Department of Mental Health and Substance Abuse Services, there is earmarked a sum sufficient for the sole purpose of implementing Senate Bill 1927 / House Bill 1956, relative to the Statewide Planning and Policy Council, if such bill becomes a law.

Item 8. From the funds appropriated to the Human Rights Commission, there is earmarked a sum sufficient not to exceed \$50,000 (non-recurring) for the sole purpose of digitization of case-related processes.

Item 9. From reserves available to the Department of Transportation in the Transportation Equity Fund for the rail program, there is earmarked the sum of \$10,000,000 (non-recurring) for the sole purpose of short line railroad repairs, improvements, and upgrades. It is the legislative intent that the funds earmarked in this item be used for projects identified in consultation with the Tennessee Short Line Railroad Alliance.

### **LEGISLATIVE INITIATIVES**

#### **SECTION 62.**

Item 1. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to implement all bills and resolutions having an estimated first year's cost of \$50,000 or less, which become law and are adopted, respectively. It is the legislative intent that if such bills and resolutions are otherwise funded by the provisions of this act, then the funds appropriated in this item shall be reduced accordingly.

### **RECOGNIZE 6.8M TBI FEES AS GENERAL FUND REVENUE**

Item 2. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$6,823,200 (recurring) to the Tennessee Bureau of Investigation. This item is subject to Senate Bill 1974 / House Bill 1959 becoming a law.

Item 3. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$91,500 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 1717 / House Bill 1722, relative to the offense of organized retail crime, if such bill becomes a law.

Item 4. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$200,000 (non-recurring) to the Department of Tourist Development for the sole purpose of implementing Senate Bill 2287 / House Bill 2371, relative to the Tennessee Sports Hall of Fame, if such bill becomes a law.

Item 5. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$483,000 (recurring) for the sole purpose of implementing Senate Bill 2364 / House Bill 1541, relative to episodes of care, if such bill becomes a law.



Item 6. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) for the sole purpose of implementing Senate Bill 2646 / House Bill 2326, relative to the "Tennessee Rural Hospital Transformation Act of 2018," if such bill becomes a law. It is the legislative intent that such funds be used for funding the first year of a three-year pilot program.

Item 7. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Department of Correction for the sole purpose of implementing Senate Bill 1865 / House Bill 2181, relative to establishing a fund for the Department of Correction (DOC) to disperse one-time grants to supplement the funds for local reentry programs, if such bill becomes a law.

Item 8. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$87,700 (of which \$55,700 shall be recurring and \$32,000 shall be non-recurring) for the sole purpose of implementing Senate Bill 2519 / House Bill 1572, relative to cemeteries, if such bill becomes a law.

Item 9. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$62,600 (of which \$55,600 shall be recurring and \$7,000 shall be non-recurring) for the sole purpose of implementing Senate Bill 2520 / House Bill 1574, relative to historical preservation, if such bill becomes a law.

Item 10. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$332,300 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 2621 / House Bill 2159, relative to elderly and vulnerable adults, if such bill becomes a law.

Item 11. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,100 (recurring) for the sole purpose of implementing Senate Bill 1935 / House Bill 2025, relative to the address confidentiality program, if such bill becomes a law.

Item 12. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$374,100 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 1787 / House Bill 2190, relative to controlled substances containing fentanyl, if such bill becomes a law.

Item 13. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$607,800 (of which \$26,200 shall be non-recurring and \$581,600 shall be recurring) for the sole purpose of implementing Senate Bill 777 / House Bill 717, relative to substance abuse, if such bill becomes a law.

Item 14. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$345,900 (recurring) for the sole purpose of implementing Senate Bill 1494 / House Bill 1542, relative to services and supports for people with disabilities, if such bill becomes a law.

Item 15. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$176,300 (which shall be allocated for incarceration costs) for the sole purpose of implementing Senate Bill 200 / House Bill 294, relative to the offense of especially aggravated stalking, if such bill becomes a law.

Item 16. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$899,400 (of which \$800,000 shall be recurring and \$99,400 shall be non-recurring) for the sole purpose of implementing Senate Bill 5 / House Bill 10, relative to establishing an additional circuit court judge position in the 21st Judicial District, an additional trial court judge position in the 16th Judicial District, and an additional trial court judge position in the 19th Judicial District; and creating a judicial redistricting task force, if such bill becomes a law.

Item 17. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient for the sole purpose of implementing Senate Bill 2062 / House Bill 2111, relative to drug-free school zones, if such bill becomes a law.

Item 18. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$11,700,000 (non-recurring), to be matched with any and all available federal funds, to the Bureau of TennCare for the sole purpose of increasing the current DSP staff salary component in the DIDD/provider rate methodology. It is the legislative intent that this appropriation increase the hourly wages of direct care staff employed at the contracted agencies of the Department of Intellectual and Developmental Disabilities for the home and community-based waiver programs for individuals with intellectual and developmental disabilities. Prior to January 1, 2019, the Comptroller of the Treasury shall conduct a survey of salaries actually paid to direct care staff as a result of the appropriation in this item and shall report the results of the survey to the members of the General Assembly no later than February 1, 2019.

Item 19. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$350,000 (non-recurring) to the Department of Education for the sole purpose of making a grant in equal amounts to each of the Science Alliance Museums.

Item 20. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Department of Tourist Development for the sole purpose of continuing the Waterways Accessibility for Tennessee Recreation (WATR) grant funds to improve and maintain access to Tennessee's waterways.

Item 21. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$10,500 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the county government of Bedford County, Tennessee, to be used for a firefighters memorial.

Item 22. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$3,000,000 (recurring) to Tennessee Technological University for the sole purpose of enhancing the College of Engineering program in an effort to increase the number of College of Engineering graduates.

Item 23. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$100,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Families Free, to be used for providing services to mothers and children affected by neonatal abstinence syndrome.

Item 24. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to Johnson City for the sole purpose of costs associated with the Johnson City/Washington County Veterans Memorial.

Item 25. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$48,000 (recurring) to the Department of Safety for the sole purpose of funding the driver services center in McMinnville.

Item 26. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Mental Health and Substance Abuse Services to be used to expand an opioid addiction pilot program that provides opioid relapse treatment, including the use of long-acting, non-narcotic, injectable-medication-assisted treatment to adults who are participating or eligible for participation in a drug court treatment program.

Item 27. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Education for the sole purpose of making a grant in such amount to Jobs for Tennessee Graduates, Inc., to be used for providing a one-credit course, general elective to twelfth grade at-risk high school students.

Item 28. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$75,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Tennessee Holocaust Commission, to be used for traveling exhibits and development of a rotating exhibit at the new Tennessee State Museum.

Item 29. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to Sullivan County for the sole purpose of expenses related to the Sullivan County Agriculture Center.

Item 30. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$400,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making grants of \$50,000 to any senior center accredited by the National Council on Aging's National Institute of Senior Centers through the National Senior Center Accreditation Program. The funds shall be used solely for providing programs and services for older adults. The only such senior centers in Tennessee are as follows:

Johnson City Seniors' Center

FiftyForward College Grove

FiftyForward Knowles in Nashville

FiftyForward Madison Station

FiftyForward Donelson Station

FiftyForward Martin Center in Brentwood

Kingsport Senior Center

St. Clair Senior Center in Murfreesboro.

Item 31. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant for the redevelopment of Clayborn Temple.

Item 32. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$300,000 (non-recurring) to the Department of Health for the sole purpose of making a grant in such amount to IMPACT America, to be used for the purpose of vision screenings for children in low-income communities statewide, and for equipment to accomplish those screenings.

Item 33. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Historical Commission for the sole purpose of restoration of the Historic Franklin Masonic Hall in Williamson County.

Item 34. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$350,000 (non-recurring) to the

Department of Finance and Administration for the sole purpose of making grants, as follows:

(a) \$250,000 (non-recurring) to the Charles H. Coolidge Medal of Honor Heritage Center in Chattanooga, to be used for programs that educate youth, teens, and adults about the Congressional Medal of Honor; and

(b) \$100,000 (non-recurring) to the Dyersburg Army Air Base Memorial Association, Inc., to be used for the Veterans' Museum.

Item 35. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$270,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Sevier County School System, to be used for operation of the school system and to replace funds lost due to students leaving the district because of a temporary lack of housing.

Item 36. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the ETSU Center of Excellence and Center for Prescription Drug Abuse Prevention and Treatment Center in the ETSU College of Public Health for the sole purpose of funding to support research for the center to help combat the opioid epidemic in the region and state by providing a comprehensive approach providing treatment, prevention, risk reduction, and metrics.

Item 37. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$221,500 (of which \$23,100 shall be non-recurring and \$198,400 shall be recurring) to the Tennessee Bureau of Investigation, for the sole purpose of two (2) additional forensic scientist positions.

Item 38. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$425,000 (non-recurring) to the Department of Mental Health and Substance Abuse Services for the sole purpose of providing the Peer Engagement Program for the Regional Mental Health Institutes.

Item 39. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$85,000 (non-recurring) to the Department of Health for the sole purpose of making a grant in such amount to the Dental Lifeline Network, to be used for a statewide Donated Dental Services (DDS) program that provides direct services to people with disabilities or who are elderly that have no access to dental care.

Item 40. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the Hobart Ames Memorial Field Trial Club, to be used for restoration and preservation of the Stencil House at the Ames Plantation.

Item 41. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$50,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the LaFollette PostMark, to be used for replacement of period-style windows to assist the building in becoming eligible for the National Register of Historic Places.

Item 42. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$40,000 (non-recurring) to the Department of Finance and Administration for the sole purpose of making grants of \$10,000 each to the four Tennessee Chapters of the National Coalition of 100 Black Women, Inc. (Chattanooga, Memphis, Nashville, and Knoxville) for the purpose of enhancing programs and services related to the health, education, and economic empowerment of black women and girls in Tennessee.

Item 43. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Tourist Development for the sole purpose of costs associated with municipal bicentennial celebrations.

Item 44. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$56,000 (non-recurring) to the Commission on Children and Youth for the sole purpose of making a grant in such amount to Tennessee Court Appointed Special Advocate Association, Inc., to be used for quality assurance and expansion initiatives. The amount of this appropriation is intended to represent \$1,000 for each Court Appointed Special Advocate (CASA) program currently in active operation or development in this state.

Item 45. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$112,000 (non-recurring) to the Tennessee Commission on Children and Youth for the sole purpose of making grants in equal amounts to each of the 56 county Court Appointed Special Advocate (CASA) programs, including the 52 CASA programs currently in active operation and the 4 CASA programs currently in development, to be used for purposes related to the operation or development of the programs.

Item 46. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$15,000 (recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to the National Foundation for Women Legislators, to be used for organizational membership for the Tennessee General Assembly Women's Caucus and training services.

Item 47. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$750,000 (non-recurring) to the Department of General Services for the sole purpose of making grants in the amount of \$150,000 each to the four (4) accredited Tennessee zoos and the Tennessee Aquarium, to be used for capital improvement projects.

Item 48. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Tennessee Bureau of Investigation for the sole purpose of expenses related to the operation of the Tennessee Dangerous Drug Task Force.

Item 49. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,000,000 (non-recurring) to the Department of Health for the sole purpose of increasing the capacity of federally qualified health centers and community and faith-based health centers in Tennessee to provide medical and dental care to uninsured adults. The appropriation made under this item shall be divided equally between federally qualified health centers and community and faith-based health centers.

Item 50. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Department of Health for the sole purpose of making a grant in such amount to the Safety Net program of Smile 180 Foundation in Davidson County, to be used for a safety net program to provide dentures to low-income individuals statewide.

Item 51. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$377,250 (non-recurring) to the Department of Finance and Administration for the sole purpose of making a grant in such amount to Men of Valor, to be used to complete the final four (4) stages of the ongoing study being conducted by Belmont University on the impact of Men of Valor and The Next Door programs on recidivism rates in the state.

Item 52. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$500,000 (non-recurring) to the Department of Education for the sole purpose of the Breakfast After the Bell school breakfast program. Any unexpended funds shall not revert to the general fund at June 30 and shall be carried forward in a reserve at June 30 and are hereby reappropriated in the subsequent fiscal year.

Item 53. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,400,000 (recurring) to the Department of Health for the sole purpose of restoring funding to early childhood home visiting programs.

Item 54. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed \$1,300,000 (non-recurring) to the Department of Revenue for the sole purpose of making grants to the municipal government of the City of Oak Ridge and county government of the County of Roane, to be used to reimburse the City of Oak Ridge and Roane County for the city's and county's portions of the sales and use tax refund owed to UT-Battelle, LLC. Such funds shall be distributed to each of the local governments in amounts that represent the city's and county's respective portions.

Item 55. In addition to any other funds appropriated by the provisions of this act, and to the extent that earnings through June 30, 2018, are available

from the Department of Treasury earnings credited to the general fund and not otherwise authorized and distributed to funds or entities participating in the State Pooled Investment Fund, Intermediate Term Investment Fund, and other cash investment programs administered by the State Treasurer, there is appropriated the amount of \$11,000,000 to the Department of Education to be used for the Energy Efficient Schools Initiative, in accordance with Tennessee Code Annotated, Title 49, Chapter 17 for the sole purpose of funding the principal amount of interest-bearing energy efficiency loans to Local Education Agencies. The availability of earnings shall periodically be determined and certified by the State Treasurer, with the approval of the Commissioner of Finance and Administration, prior to the distribution of any funds appropriated in this item. Any unexpended funds shall not revert to the general fund and shall be carried forward in a reserve to be expended for the purposes of this item.

Item 56. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$148,000 (non-recurring) to the Department of Health for the sole purpose of making grants to the Epilepsy Foundations across the state as follows: Epilepsy Foundation of Middle & West Tennessee, Epilepsy Foundation of Southeast Tennessee, and Epilepsy Foundation of East Tennessee. Such grants shall be used for education, child safety and prevention initiatives, and services to those with epilepsy. It is the legislative intent that such grants be distributed based on existing percentages.

Item 57. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$300,000 (non-recurring) to the Historical Commission for the purpose of sewer and pavement improvements for the Carter House Visitor Center in Franklin, Tennessee.

#### **SECTION 47 – ADDITION TO REVENUE FLUCTUATION RESERVE**

**AND FURTHER AMEND** in Section 47, Item 2 by deleting the language "\$850,000,000 on June 30, 2019" and substituting instead the language "\$861,000,000 on June 30, 2019".

**AND FURTHER AMEND** by requesting the Engrossing Clerk to:

(1) Delete the bold, underlined explanatory headings in this amendment; and

(2) Exclude this paragraph from the engrossed bill.

Rep. Stewart moved that Amendment No. 1 to House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Camper moved that Amendment No. 2 to House Amendment No. 3 be withdrawn, which motion prevailed.

Rep. Love moved adoption of Amendment No. 3 to House Amendment No. 3 as follows:

#### **Amendment No. 3 to Amendment No. 3**

4391

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.



AMEND House Bill No. 2644 by deleting the language "the sum of \$11,700,000 (non-recurring)" from Section 62, Item 18 and substituting instead the language "the sum of \$11,700,000 (of which \$3,000,000 shall be recurring and \$8,700,000 shall be non-recurring)".

Rep. Sargent moved to move Amendment No. 3 to House Amendment No. 3 to the table.

With out objection, Rep. Sargent withdrew the motion to table House Amendment No. 3 to House Amendment No. 3

Rep. Love moved that the House consider Amendment No. 3 to House Amendment No. 3 pursuant to **Rule No. 60 (B)**, which motion failed by the following vote:

Ayes .....	19
Noes.....	71

Representatives voting aye were: Akbari, Beck, Camper, Clemmons, Favors, Gilmore, Hardaway, Jernigan, Jones, Love, Mitchell, Parkinson, Pitts, Powell, Shaw, Staples, Stewart, Thompson, Windle -- 19

Representatives voting no were: Alexander, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Halford, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Sherrell, Smith, Sparks, Terry, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madame Speaker Harwell -- 71

On motion, Finance, Ways & Means Committee Amendment No. 3 was adopted.

Rep. Daniel requested that House Amendment No. 4 be placed at the heel of the amendments.

Rep. M. Hill moved adoption of House Amendment No. 5 as follows:

**Amendment No. 5**

AMEND House Bill No. 2644 by deleting the following language from Section 62:

Item 43. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$250,000 (non-recurring) to the Department of Tourist Development for the sole purpose of costs associated with municipal bicentennial celebrations.

Rep. Camper moved that House Amendment No. 5 be tabled, which motion failed by the following vote:

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

Ayes ..... 27  
Noes..... 67

Representatives voting aye were: Akbari, Beck, Brooks H., Camper, Clemmons, Coley, Cooper, Favors, Gilmore, Hardaway, Jernigan, Jones, Kumar, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Sargent, Shaw, Staples, Stewart, Thompson, Towns, Turner, White M. -- 27

Representatives voting no were: Alexander, Boyd, Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Forgety, Gant, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Moody, Moon, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sexton C., Sexton J., Sherrell, Smith, Sparks, Tillis, Travis, Van Huss, Vaughan, Weaver, White D., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 67

Rep. Casada moved previous question on House Amendment No. 5, which motion failed by the following vote:

Ayes ..... 54  
Noes..... 34  
Present and not voting..... 1

Representatives voting aye were: Alexander, Boyd, Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Curcio, Daniel, Doss, Eldridge, Farmer, Forgety, Gant, Halford, Hawk, Hazlewood, Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McCormick, McDaniel, Moody, Moon, Powers, Ragan, Reedy, Rudd, Sanderson, Sexton J., Sherrell, Sparks, Terry, Tillis, Weaver, White D., White M., Whitson, Williams, Zachary, Madame Speaker Harwell -- 54

Representatives voting no were: Akbari, Beck, Brooks H., Camper, Clemmons, Coley, Cooper, DeBerry, Dunn, Favors, Gilmore, Hardaway, Hicks, Hill M., Holt, Jernigan, Jones, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Rogers, Shaw, Smith, Staples, Stewart, Thompson, Towns, Turner, Van Huss, Vaughan, Windle -- 34

Representatives present and not voting were: Wirgau -- 1

After further discussion, Rep. Marsh moved previous question on House Amendment No. 5, which motion prevailed by the following vote:

Ayes ..... 60  
Noes..... 30

Representatives voting aye were: Alexander, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Doss, Eldridge, Farmer, Forgety, Gant, Halford, Hawk, Hazlewood, Hicks, Hill T., Holsclaw, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Lynn, Marsh, Matlock, McDaniel, Moody, Moon, Powers, Ragan, Reedy, Rudd, Sanderson, Sexton C., Sexton J., Sherrell, Sparks, Terry, Tillis, Travis, Vaughan, Weaver, White D., White M., Whitson, Williams, Wirgau, Zachary, Madame Speaker Harwell -- 60

Representatives voting no were: Akbari, Beck, Camper, Clemmons, Cooper, DeBerry, Dunn, Faison, Favors, Gilmore, Hardaway, Hill M., Holt, Jernigan, Love, Miller, Mitchell, Parkinson, Pitts, Powell, Rogers, Shaw, Smith, Staples, Stewart, Thompson, Towns, Turner, Van Huss, Windle -- 30

On motion, House Amendment No. 5 was adopted by the following vote:

Ayes .....	56
Noes.....	31
Present and not voting.....	1

Representatives voting aye were: Alexander, Boyd, Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Curcio, Daniel, Doss, Eldridge, Farmer, Forgety, Gant, Halford, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lynn, Marsh, Matlock, McDaniel, Moody, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sexton J., Sherrell, Terry, Tillis, Travis, Van Huss, Weaver, White D., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 56

Representatives voting no were: Akbari, Beck, Brooks H., Camper, Clemmons, Coley, Cooper, DeBerry, Faison, Favors, Gilmore, Hardaway, Jernigan, Lollar, Love, Miller, Mitchell, Moon, Parkinson, Pitts, Powell, Shaw, Smith, Sparks, Staples, Stewart, Thompson, Towns, Turner, Vaughan, White M. -- 31

Representatives present and not voting were: Dunn -- 1

Rep. Weaver moved that the House consider House Amendment No. 6 pursuant to **Rule No. 60 (B)**, which motion failed by the following vote:

Ayes .....	20
Noes.....	67

Representatives voting aye were: Alexander, Boyd, Calfee, Daniel, Hardaway, Hulsey, Keisling, Kumar, Littleton, Lollar, Matlock, Reedy, Rogers, Rudd, Sexton C., Sexton J., Terry, Weaver, White D., Windle -- 20

Representatives voting no were: Akbari, Beck, Brooks H., Brooks K., Butt, Byrd, Camper, Carr, Carter, Casada, Clemmons, Coley, Cooper, Curcio, DeBerry, Dunn, Eldridge, Farmer, Favors, Forgety, Gant, Gilmore, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Jernigan, Johnson, Kane, Lamberth, Love, Lynn, Marsh, McCormick, McDaniel, Miller, Mitchell, Moody, Parkinson, Pitts, Powell, Powers, Ragan, Sanderson, Sargent, Shaw, Sherrell, Smith, Sparks, Stewart, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, White M., Whitson, Williams, Wirgau, Zachary -- 67

Rep. Sargent requested that Finance, Ways & Means Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Daniel requested that House Amendment No. 4 be placed at the heel of the amendments.

Rep. Sargent requested that Finance, Ways & Means Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Daniel requested that House Amendment No. 4 be placed at the heel of the amendments.

Rep. Sargent requested that Finance, Ways & Means Committee Amendment No. 1 be placed at the heel of the amendments.

Rep. Daniel requested that Amendment No. 4 be placed at the heel of the amendments, which motion failed by the following vote:

Ayes ..... 12  
Noes..... 74

Representatives voting aye were: Akbari, Beck, Hardaway, Holt, Lollar, Matlock, Powell, Ragan, Reedy, Sexton J., Towns, Turner -- 12

Representatives voting no were: Alexander, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Hulse, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Lynn, Marsh, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powers, Ramsey, Rudd, Sanderson, Sargent, Sexton C., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Thompson, Tillis, Travis, Van Huss, Vaughan, White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 74

Rep. Daniel moved adoption of House Amendment No. 4 as follows:

**Amendment No. 4**

AMEND House Bill No. 2644 by adding the following new sections immediately before the antepenultimate section and renumbering the subsequent sections accordingly:

SECTION \_\_. The appropriations in Section 1 of this act hereby are reduced in the following amounts for the following purposes.

Item 1. The appropriation in Section 1, Title III-11, Department of Commerce and Insurance, hereby is reduced in the amount of \$100,000 (recurring) for the purpose of eliminating one legislative liaison position.

Item 2. The appropriation in Section 1, Title III-23, Department of Children's Services, hereby is reduced in the amount of \$100,000 (recurring) for the purpose of eliminating one legislative liaison position.

Item 3. The appropriation in Section 1, Title III-17, Department of Human Services, hereby is reduced in the amount of \$100,000 (recurring) for the purpose of eliminating one legislative liaison position.

Item 4. The appropriation in Section 1, Title III-9, Department of Education, hereby is reduced in the amount of \$100,000 (recurring) for the purpose of eliminating one legislative liaison position.

Item 5. The appropriation in Section 1, Title III-2, Item 3, Department of Finance and Administration, hereby is reduced in the amount of \$100,000 (recurring) for the purpose of eliminating one legislative liaison position.

Item 6. The appropriation in Section 1, Title III-2, Item 1, Executive Department, hereby is reduced in the amount of \$100,000 (recurring) for the purpose of eliminating one legislative liaison position.

Item 7. The appropriation in Section 1, Title III-16, Department of Health, hereby is reduced in the amount of \$100,000 (recurring) for the purpose of eliminating one legislative liaison position.

Item 8. The appropriation in Section 1, Title III-14, Department of Mental Health and Substance Abuse Services, hereby is reduced in the amount of \$100,000 (recurring) for the purpose of eliminating one legislative liaison position.

Item 9. The appropriation in Section 1, Title III-18, Department of Revenue, hereby is reduced in the amount of \$100,000 (recurring) for the purpose of eliminating one legislative liaison position.

Item 10. The appropriation in Section 1, Title III-20, Department of Safety, hereby is reduced in the amount of \$100,000 (recurring) for the purpose of eliminating one legislative liaison position.

Item 11. The appropriation in Section 1, Title III-30, Department of Transportation, hereby is reduced in the amount of \$100,000 (recurring) for the purpose of eliminating one legislative liaison position.

SECTION \_\_. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$1,100,000 (recurring) to the Comptroller of the Treasury for the purpose of conducting efficiency and effectiveness analysis of state entities.

Rep. Sargent moved that House Amendment No. 4 be tabled, which motion prevailed by the following vote:

Ayes .....	65
Noes .....	23

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Halford, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Howell, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Love, Marsh, McCormick, McDaniel, Mitchell, Moody, Moon, Pitts, Ramsey, Sargent, Sexton C., Sexton J., Shaw, Smith, Staples, Stewart, Thompson, Tillis, Towns, Travis, Van Huss, Weaver, White M., Whitson, Williams, Madame Speaker Harwell -- 65

Representatives voting no were: Butt, Daniel, Hardaway, Holt, Hulsey, Littleton, Matlock, Parkinson, Powell, Powers, Ragan, Reedy, Rogers, Rudd, Sanderson, Sherrell, Sparks, Terry, Turner, Vaughan, White D., Windle, Zachary -- 23

Rep. Sargent moved that Finance, Ways & Means Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Marsh moved the previous question, which motion prevailed.

Rep. Sargent moved that **House Bill No. 2644**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 87  
Noes..... 5

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Coley, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Halford, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Terry, Thompson, Tillis, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 87

Representatives voting no were: Clemmons, Hardaway, Parkinson, Stewart, Towns -- 5

A motion to reconsider was tabled.

### **REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member desires to change their original stand from "no" to "aye" on the motion to table House Amendment No. 5 of **House Bill No. 2644** and have this statement entered in the Journal: Rep. DeBerry.

### **APPROPRIATIONS CALENDAR, CONTINUED**

**House Bill No. 2646** -- Budget Procedures - As introduced, allows for grant payments under the grant assistance program for nursing home care being made monthly or quarterly; makes statutory revisions required for implementation of the annual appropriations act. - Amends TCA Title 4; Title 5; Title 6; Title 8; Title 9; Title 10; Title 11; Title 12; Title 13; Title 16; Title 17; Title 18; Title 29; Title 33; Title 36; Title 37; Title 38; Title 39; Title 40; Title 41; Title 43; Title 45; Title 47; Title 48; Title 49; Title 50; Title 53; Title 54; Title 55; Title 56; Title 57; Title 58; Title 59; Title 60; Title 62; Title 63; Title 64; Title 65; Title 66; Title 67; Title 68; Title 69; Title 70 and Title 71. by \*Sargent. (\*SB2553 by \*Norris)

Rep. Sargent moved that House Bill No. 2646 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2646 by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-3-1016, is amended by inserting a new subsection (i):

(i) In the fiscal year ending June 30, 2018, transfers are authorized from the department of safety, handgun permit reserve, created or referenced in title 39, chapter 17, part 13.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Sargent moved that **House Bill No. 2646**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 92  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 92

A motion to reconsider was tabled.

**EXCUSED**

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Camper

**APPROPRIATIONS CALENDAR, CONTINUED**

**House Bill No. 2645** -- Bond Issues - As introduced, authorizes the state to issue and sell bonds of up to \$245,435,000. by \*Sargent. (\*SB2554 by \*Norris)

Rep. Sargent moved that House Bill No. 2645 be passed on third and final consideration.

Rep. Sargent moved adoption of Finance, Ways & Means Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2645 by deleting the language "not to exceed two hundred forty-five million four hundred thirty-five thousand dollars (\$245,435,000)" from Section 1 and substituting instead the language "not to exceed two hundred fifteen million two hundred ninety-five thousand dollars (\$215,295,000)".

**AND FURTHER AMEND** by deleting the language "in the amount of eighty-seven million seven hundred twenty-seven thousand dollars (\$87,727,000)" from Section 4(2) and substituting instead the language "in the amount of fifty-seven million five hundred eighty-seven thousand dollars (\$57,587,000)".

On motion, Finance, Ways & Means Committee Amendment No. 1 was adopted.

Rep. Sargent moved that **House Bill No. 2645**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 93  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 93

A motion to reconsider was tabled.

**SPECIAL ORDER**

Without objection, Rep. Williams moved the House take up Consent Calendar No. 2 at this time as follows:

**CONSENT CALENDAR NO. 2**

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.



**House Resolution No. 325** -- Memorials, Recognition - "Zaevion Dobson Day," May 19, 2018. by \*Smith.

**House Resolution No. 326** -- Memorials, Personal Occasion - Mary Edith Carr Wright, 100th birthday. by \*Hicks.

**House Resolution No. 327** -- Memorials, Interns - Elizabeth Leah "Eliza" Ford. by \*Miller.

**House Resolution No. 328** -- Memorials, Sports - Vanderbilt University women's tennis team, 2018 SEC champions. by \*Clemmons.

**House Joint Resolution No. 1218** -- Memorials, Retirement - Kathy Wood-Dobbins. by \*McDaniel, \*Fitzhugh, \*Pitts.

**House Joint Resolution No. 1219** -- Memorials, Academic Achievement - Reuben Woodard, Valedictorian, Hamilton High School. by \*Akbari.

**House Joint Resolution No. 1220** -- Memorials, Academic Achievement - Kaneisha K. Hall, Salutatorian, Hamilton High School. by \*Akbari.

**House Joint Resolution No. 1221** -- Memorials, Academic Achievement - Danyell McAdams, Senior Class President, Hamilton High School. by \*Akbari.

**House Joint Resolution No. 1222** -- Memorials, Academic Achievement - Margaret Maxwell, Valedictorian, Sheffield High School. by \*Akbari.

**House Joint Resolution No. 1223** -- Memorials, Academic Achievement - Omar Ruiz, Salutatorian, Sheffield High School. by \*Akbari.

**House Joint Resolution No. 1224** -- Memorials, Academic Achievement - Katerion Pender, Class President, Sheffield High School. by \*Akbari.

**House Joint Resolution No. 1225** -- Memorials, Interns - Jordan Danielle Scales. by \*Akbari.

**House Joint Resolution No. 1226** -- Memorials, Personal Occasion - Brian Harris, 40th birthday. by \*Akbari.

**House Joint Resolution No. 1227** -- Memorials, Recognition - Ronald Coffin, Frank Young, Constance Hooper Scott, Sylvia Porter, and Gervy Howard. by \*Ramsey, \*Moon, \*Favors, \*Jones, \*Miller, \*Shaw, \*Camper, \*Akbari, \*Cooper, \*Towns, \*Staples, \*Love, \*Windle, \*Pitts, \*Beck, \*Fitzhugh, \*DeBerry, \*Hardaway.

**House Joint Resolution No. 1228** -- Memorials, Death - Laddie Morris, Jr. by \*Thompson.

**House Joint Resolution No. 1229** -- Memorials, Recognition - Reverend Bassil Gardner Brooks, 42nd anniversary. by \*Thompson.

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Joint Resolution No. 1230** -- Memorials, Academic Achievement - Laramie Plott, Valedictorian, Zion Christian Academy. by \*Butt.

**House Joint Resolution No. 1231** -- Memorials, Academic Achievement - Jenny Claire Buckner, Valedictorian, Zion Christian Academy. by \*Butt.

**House Joint Resolution No. 1232** -- Memorials, Academic Achievement - Sarah Thomas, Valedictorian, Zion Christian Academy. by \*Butt.

**House Joint Resolution No. 1233** -- Memorials, Academic Achievement - Autumn Nicole Belcher, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1234** -- Memorials, Academic Achievement - James Brady Biggs, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1235** -- Memorials, Academic Achievement - Ethan R. Crowder, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1236** -- Memorials, Academic Achievement - Erin F. Forgety, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1237** -- Memorials, Academic Achievement - Reanna R. Hanson, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1238** -- Memorials, Academic Achievement - William R. Jenkins, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1239** -- Memorials, Academic Achievement - Landon S. Margetjak, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1240** -- Memorials, Academic Achievement - Logan S. Mitchell, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1241** -- Memorials, Academic Achievement - Claire G. Roberson, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1242** -- Memorials, Academic Achievement - Emma M. Shaver, Top Ten Senior, Cherokee High School. by \*Hicks.

**House Joint Resolution No. 1243** -- Memorials, Academic Achievement - Savannah Hopkins, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1244** -- Memorials, Academic Achievement - Meghan Danielle Holt, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1245** -- Memorials, Academic Achievement - Dylan Wayne Bell, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1246** -- Memorials, Academic Achievement - Tyler Shane Mullins, Top Ten Senior, Hancock County High School. by \*Hicks.

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Joint Resolution No. 1247** -- Memorials, Academic Achievement - Tabitha Ivonn Dykes, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1248** -- Memorials, Academic Achievement - Anastey Raegan Seal, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1249** -- Memorials, Academic Achievement - Victoria Marion, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1250** -- Memorials, Academic Achievement - Brady Ramsey, Top Ten Senior, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1251** -- Memorials, Academic Achievement - Amber Estes, Salutatorian, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1252** -- Memorials, Academic Achievement - Sarah Nichole Hopkins, Valedictorian, Hancock County High School. by \*Hicks.

**House Joint Resolution No. 1253** -- Memorials, Recognition - Collegiate fraternity and sorority community. by \*DeBerry.

**Senate Joint Resolution No. 894** -- Memorials, Academic Achievement - Troy Dalton Sloan, Valedictorian, East Robertson High School. by \*Roberts.

**Senate Joint Resolution No. 907** -- Memorials, Recognition - Steve Wariner. by \*Bowling.

**Senate Joint Resolution No. 859** -- Memorials, Retirement - Barbara Gray. by \*Norris.

**Senate Joint Resolution No. 862** -- Memorials, Recognition - Bethel United Methodist Church. by \*Ketron, \*Reeves.

**Senate Joint Resolution No. 863** -- Memorials, Death - John Herman Baker. by \*Gresham.

**Senate Joint Resolution No. 865** -- Memorials, Interns - Hogan Smithmier. by \*Roberts.

**Senate Joint Resolution No. 866** -- Memorials, Recognition - Second Presbyterian Church, 200th anniversary. by \*Massey, \*Briggs.

**Senate Joint Resolution No. 867** -- Memorials, Death - Donna Jo Pecoraro Woodson Thornton. by \*Massey, \*Briggs, \*Yarbro.

**Senate Joint Resolution No. 868** -- Memorials, Interns - Austin Deal. by \*Massey, \*Briggs.

**Senate Joint Resolution No. 869** -- Memorials, Death - Martha Marie Couch Coursey. by \*Gresham.

**Senate Joint Resolution No. 870** -- Memorials, Death - Annie Clay Brown. by \*Gresham.

**Senate Joint Resolution No. 871** -- Memorials, Interns - Haley Clarissa Engle. by \*Swann.

**Senate Joint Resolution No. 872** -- Memorials, Academic Achievement - Rebecca Charlene Richey, Salutatorian, Creek Wood High School. by \*Roberts.

**Senate Joint Resolution No. 873** -- Memorials, Academic Achievement - Hayden Luke Suddeth, Valedictorian, Creek Wood High School. by \*Roberts.

**Senate Joint Resolution No. 874** -- Memorials, Academic Achievement - David Smith, Salutatorian, Christian Community Schools. by \*Roberts.

**Senate Joint Resolution No. 875** -- Memorials, Academic Achievement - Caleb Starling, Valedictorian, Christian Community Schools. by \*Roberts.

**Senate Joint Resolution No. 876** -- Memorials, Interns - Sarah Ann Noel. by \*Gresham.

**Senate Joint Resolution No. 877** -- Memorials, Recognition - Susie James. by \*Pody.

**Senate Joint Resolution No. 891** -- Memorials, Academic Achievement - Taylor Renee Gamble, Salutatorian, East Robertson High School. by \*Roberts.

**Senate Joint Resolution No. 892** -- Memorials, Academic Achievement - Hannah Battles, Salutatorian, Cheatham County Central High School. by \*Roberts.

**Senate Joint Resolution No. 893** -- Memorials, Academic Achievement - Jackson Rowe, Valedictorian, Cheatham County Central High School. by \*Roberts.

**Senate Joint Resolution No. 895** -- Memorials, Academic Achievement - Jacob Alan Smith, Valedictorian, White House Heritage High School. by \*Roberts.

**Senate Joint Resolution No. 896** -- Memorials, Academic Achievement - Forrest Isaias Whiting, Salutatorian, White House Heritage High School. by \*Roberts.

**Senate Joint Resolution No. 897** -- Memorials, Academic Achievement - Abigail Haggard, Valedictorian, Sycamore High School. by \*Roberts.

**Senate Joint Resolution No. 898** -- Memorials, Academic Achievement - Lauren Hunsicker, Salutatorian, Sycamore High School. by \*Roberts.

**Senate Joint Resolution No. 899** -- Memorials, Academic Achievement - Stephen Edward Jacobs, Valedictorian, Harpeth High School. by \*Roberts.

**Senate Joint Resolution No. 900** -- Memorials, Academic Achievement - Jared Prine Higgs, Salutatorian, Harpeth High School. by \*Roberts.

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

**Senate Joint Resolution No. 901** -- Memorials, Academic Achievement - Noah Westley Holland, Valedictorian, Springfield High School. by \*Roberts.

**Senate Joint Resolution No. 902** -- Memorials, Academic Achievement - Luke Bradley Pettitt, Salutatorian, Springfield High School. by \*Roberts.

**Senate Joint Resolution No. 903** -- Memorials, Retirement - Congressman John J. Duncan, Jr. by \*Massey, \*Briggs, \*McNally, \*Bailey, \*Bell, \*Bowling, \*Crowe, \*Dickerson, \*Gardenhire, \*Green, \*Gresham, \*Haile, \*Harper, \*Harris, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Lundberg, \*Niceley, \*Norris, \*Pody, \*Reeves, \*Roberts, \*Southerland, \*Stevens, \*Swann, \*Tate, \*Watson, \*Yager, \*Yarbro.

**Senate Joint Resolution No. 904** -- Memorials, Public Service - Congressman John J. Duncan, Jr.'s staff. by \*Massey, \*Briggs, \*McNally, \*Bailey, \*Bell, \*Bowling, \*Crowe, \*Dickerson, \*Gardenhire, \*Green, \*Gresham, \*Haile, \*Harper, \*Harris, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Lundberg, \*Niceley, \*Norris, \*Pody, \*Reeves, \*Roberts, \*Southerland, \*Stevens, \*Swann, \*Tate, \*Watson, \*Yager, \*Yarbro.

**Senate Joint Resolution No. 905** -- Memorials, Recognition - Crystal Stander, Boys and Girls Clubs Youth of the Year. by \*Bell.

**Senate Joint Resolution No. 906** -- Memorials, Recognition - Devore Soloman, Boys and Girls Clubs Youth of the Year. by \*Massey.

**Senate Joint Resolution No. 908** -- Memorials, Recognition - Mark Beeler, Governor's Volunteer Stars Award. by \*Haile.

**Senate Joint Resolution No. 910** -- Memorials, Retirement - Dr. Charles Eugene Walker. by \*Watson.

**Senate Joint Resolution No. 911** -- Memorials, Recognition - HCA Healthcare, 50th anniversary. by \*Watson, \*Reeves, \*Yarbro.

**Senate Joint Resolution No. 912** -- Memorials, Recognition - Hannah Dove Maurice, Boys and Girls Clubs Youth of the Year. by \*Swann.

**Senate Joint Resolution No. 913** -- Memorials, Recognition - Jermize Weddle, Boys and Girls Clubs Youth of the Year. by \*Stevens.

**Senate Joint Resolution No. 914** -- Memorials, Death - Wanda Fay Bowling. by \*Yager, \*Bailey, \*Bell, \*Bowling, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Green, \*Gresham, \*Haile, \*Harper, \*Harris, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Lundberg, \*Massey, \*Niceley, \*Norris, \*Pody, \*Reeves, \*Roberts, \*Southerland, \*Stevens, \*Swann, \*Tate, \*Watson, \*Yarbro, \*McNally.

**Senate Joint Resolution No. 915** -- Memorials, Recognition - Quintarious Bond, Boys and Girls Clubs Youth of the Year. by \*Gresham.

**Senate Joint Resolution No. 916** -- Memorials, Recognition - David Price, Boys and Girls Clubs Youth of the Year. by \*Southerland, \*Reeves.

**Senate Joint Resolution No. 917** -- Memorials, Recognition - Donovan Stokes, Boys and Girls Clubs Youth of the Year. by \*Southerland.

**Senate Joint Resolution No. 918** -- Memorials, Recognition - Cameron Hamilton, Boys and Girls Clubs Youth of the Year. by \*Southerland.

**Senate Joint Resolution No. 919** -- Memorials, Professional Achievement - Amy Whaley, Regional Teacher of the Year. by \*Southerland.

**Senate Joint Resolution No. 920** -- Memorials, Recognition - Boys and Girls Club of Morristown, 60th anniversary. by \*Southerland.

**Senate Joint Resolution No. 921** -- Memorials, Recognition - Rebecca Wood, 2018 president of the Tennessee Road Builders Association. by \*Ketron, \*Reeves.

**Senate Joint Resolution No. 922** -- Memorials, Recognition - Haven Goodell, Boys and Girls Clubs Youth of the Year. by \*Crowe, \*Lundberg.

**Senate Joint Resolution No. 923** -- Memorials, Recognition - Y-12 National Security Complex, 75th anniversary. by \*McNally, \*Briggs, \*Yager.

**Senate Joint Resolution No. 924** -- Memorials, Interns - Harris King. by \*McNally, \*Briggs.

**Senate Joint Resolution No. 925** -- Memorials, Retirement - Smith County Mayor Michael Nesbitt. by \*Pody, \*Bailey, \*Haile.

**Senate Joint Resolution No. 926** -- Memorials, Academic Achievement - Dylan Cole Maxfield, Salutatorian, Clay County High School. by \*Pody.

**Senate Joint Resolution No. 927** -- Memorials, Recognition - Isaiah Bullock, Boys and Girls Clubs Youth of the Year. by \*Hensley.

**Senate Joint Resolution No. 928** -- Memorials, Retirement - Frederick A. "Rick" Brooks. by \*Haile.

**Senate Joint Resolution No. 929** -- Memorials, Retirement - Linda Kay Fulghum. by \*Gresham.

Rep. Hulsey moved that all members of the North East Tennessee delegation be added as co-prime sponsors on Senate Joint Resolution No. 871, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, M. Hill, T. Hill, Holt, Ragan, Reedy and Sherrell.

Rep. Smith moved that all members of the Knox County delegation be added as co-prime sponsors on House Resolution No. 325, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Reps. Butt, M. Hill, T. Hill, Holt, Ragan, Reedy and Sherrell.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate

## TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	94
Noes .....	0

Representatives voting aye were: Akbari, Alexander, Beck, Boyd, Brooks H., Brooks K., Butt, Byrd, Calfee, Carr, Carter, Casada, Clemmons, Coley, Cooper, Crawford, Curcio, Daniel, DeBerry, Doss, Dunn, Eldridge, Faison, Farmer, Favors, Forgety, Gant, Gilmore, Halford, Hardaway, Hawk, Hazlewood, Hicks, Hill M., Hill T., Holsclaw, Holt, Howell, Hulsey, Jernigan, Johnson, Jones, Kane, Keisling, Kumar, Lamberth, Littleton, Lollar, Love, Lynn, Marsh, Matlock, McCormick, McDaniel, Miller, Mitchell, Moody, Moon, Parkinson, Pitts, Powell, Powers, Ragan, Ramsey, Reedy, Rogers, Rudd, Sanderson, Sargent, Sexton C., Sexton J., Shaw, Sherrell, Smith, Sparks, Staples, Stewart, Terry, Thompson, Tillis, Towns, Travis, Turner, Van Huss, Vaughan, Weaver, White D., White M., Whitson, Williams, Windle, Wirgau, Zachary, Madame Speaker Harwell -- 94

A motion to reconsider was tabled.

### MOTION TO PLACE BILL ON CALENDAR

Rep. Williams moved that **House Bill No. 2483** be placed on the next Regular Calendar, which motion prevailed.

### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 1087** Reps. Hardaway, Camper, Favors, Miller, Shaw, Cooper, Parkinson, Towns and Love as prime sponsors.

**House Joint Resolution No. 1088** Reps. Camper, Favors, Miller, Shaw, Cooper, Love, Towns, Parkinson as prime sponsors.

**House Bill No. 1109** Reps. Lamberth, Mitchell, Howell, Favors, Ramsey, Moody, Sherrell, Butt, Byrd, Vaughan, Lollar, Zachary, Gant and Dunn as prime sponsors.

**House Bill No. 1510** Rep. Cooper as prime sponsor.

**House Bill No. 1846** Rep. Staples as prime sponsor.

**House Bill No. 2150** Rep. Thompson as prime sponsor.

**House Bill No. 2219** Rep. D. White as prime sponsor.

**House Bill No. 2310** Rep. McCormick as First prime sponsor.

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**House Bill No. 2555** Rep. Hardaway as prime sponsor.

**SPONSORS REMOVED**

On Motion, Rep. Byrd was removed as sponsor of **House Bill No. 2114**.

**MESSAGE FROM THE SENATE**  
**April 17, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1534, 1687, 1923, 2695, 2702, 2708, 2711, 2713, 2714, 2716, 2719 and 2720; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**April 17, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2420; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**April 17, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2141; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**April 17, 2018**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 879, 906, 954, 1065, 1066, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1081, 1082, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175 and 1176; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**April 17, 2018**

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.



MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 859, 862, 863, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 891, 892, 893, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 908, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928 and 929; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 859** -- Memorials, Retirement - Barbara Gray. by \*Norris.

**Senate Joint Resolution No. 862** -- Memorials, Recognition - Bethel United Methodist Church. by \*Ketron, \*Reeves.

**Senate Joint Resolution No. 863** -- Memorials, Death - John Herman Baker. by \*Gresham.

**Senate Joint Resolution No. 865** -- Memorials, Interns - Hogan Smithmier. by \*Roberts.

**Senate Joint Resolution No. 866** -- Memorials, Recognition - Second Presbyterian Church, 200th anniversary. by \*Massey, \*Briggs.

**Senate Joint Resolution No. 867** -- Memorials, Death - Donna Jo Pecoraro Woodson Thornton. by \*Massey, \*Briggs, \*Yarbro.

**Senate Joint Resolution No. 868** -- Memorials, Interns - Austin Deal. by \*Massey, \*Briggs.

**Senate Joint Resolution No. 869** -- Memorials, Death - Martha Marie Couch Coursey. by \*Gresham.

**Senate Joint Resolution No. 870** -- Memorials, Death - Annie Clay Brown. by \*Gresham.

**Senate Joint Resolution No. 871** -- Memorials, Interns - Haley Clarissa Engle. by \*Swann.

**Senate Joint Resolution No. 872** -- Memorials, Academic Achievement - Rebecca Charlene Richey, Salutatorian, Creek Wood High School. by \*Roberts.

**Senate Joint Resolution No. 873** -- Memorials, Academic Achievement - Hayden Luke Suddeth, Valedictorian, Creek Wood High School. by \*Roberts.

**Senate Joint Resolution No. 874** -- Memorials, Academic Achievement - David Smith, Salutatorian, Christian Community Schools. by \*Roberts.

**Senate Joint Resolution No. 875** -- Memorials, Academic Achievement - Caleb Starling, Valedictorian, Christian Community Schools. by \*Roberts.

**Senate Joint Resolution No. 876** -- Memorials, Interns - Sarah Ann Noel. by \*Gresham.

**Senate Joint Resolution No. 877** -- Memorials, Recognition - Susie James. by \*Pody.

**Senate Joint Resolution No. 891** -- Memorials, Academic Achievement - Taylor Renee Gamble, Salutatorian, East Robertson High School. by \*Roberts.

**Senate Joint Resolution No. 892** -- Memorials, Academic Achievement - Hannah Battles, Salutatorian, Cheatham County Central High School. by \*Roberts.

**Senate Joint Resolution No. 893** -- Memorials, Academic Achievement - Jackson Rowe, Valedictorian, Cheatham County Central High School. by \*Roberts.

**Senate Joint Resolution No. 895** -- Memorials, Academic Achievement - Jacob Alan Smith, Valedictorian, White House Heritage High School. by \*Roberts.

**Senate Joint Resolution No. 896** -- Memorials, Academic Achievement - Forrest Isaias Whiting, Salutatorian, White House Heritage High School. by \*Roberts.

**Senate Joint Resolution No. 897** -- Memorials, Academic Achievement - Abigail Haggard, Valedictorian, Sycamore High School. by \*Roberts.

**Senate Joint Resolution No. 898** -- Memorials, Academic Achievement - Lauren Hunsicker, Salutatorian, Sycamore High School. by \*Roberts.

**Senate Joint Resolution No. 899** -- Memorials, Academic Achievement - Stephen Edward Jacobs, Valedictorian, Harpeth High School. by \*Roberts.

**Senate Joint Resolution No. 900** -- Memorials, Academic Achievement - Jared Prine Higgs, Salutatorian, Harpeth High School. by \*Roberts.

**Senate Joint Resolution No. 901** -- Memorials, Academic Achievement - Noah Westley Holland, Valedictorian, Springfield High School. by \*Roberts.

**Senate Joint Resolution No. 902** -- Memorials, Academic Achievement - Luke Bradley Petitt, Salutatorian, Springfield High School. by \*Roberts.

**Senate Joint Resolution No. 903** -- Memorials, Retirement - Congressman John J. Duncan, Jr. by \*Massey, \*Briggs, \*McNally, \*Bailey, \*Bell, \*Bowling, \*Crowe, \*Dickerson, \*Gardenhire, \*Green, \*Gresham, \*Haile, \*Harper, \*Harris, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Lundberg, \*Niceley, \*Norris, \*Pody, \*Reeves, \*Roberts, \*Southerland, \*Stevens, \*Swann, \*Tate, \*Watson, \*Yager, \*Yarbro.

**Senate Joint Resolution No. 904** -- Memorials, Public Service - Congressman John J. Duncan, Jr.'s staff. by \*Massey, \*Briggs, \*McNally, \*Bailey, \*Bell, \*Bowling, \*Crowe, \*Dickerson, \*Gardenhire, \*Green, \*Gresham, \*Haile, \*Harper, \*Harris, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Lundberg, \*Niceley, \*Norris, \*Pody, \*Reeves, \*Roberts, \*Southerland, \*Stevens, \*Swann, \*Tate, \*Watson, \*Yager, \*Yarbro.

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

**Senate Joint Resolution No. 905** -- Memorials, Recognition - Crystal Stander, Boys and Girls Clubs Youth of the Year. by \*Bell.

**Senate Joint Resolution No. 906** -- Memorials, Recognition - Devore Soloman, Boys and Girls Clubs Youth of the Year. by \*Massey.

**Senate Joint Resolution No. 908** -- Memorials, Recognition - Mark Beeler, Governor's Volunteer Stars Award. by \*Haile.

**Senate Joint Resolution No. 910** -- Memorials, Retirement - Dr. Charles Eugene Walker. by \*Watson.

**Senate Joint Resolution No. 911** -- Memorials, Recognition - HCA Healthcare, 50th anniversary. by \*Watson, \*Reeves, \*Yarbro.

**Senate Joint Resolution No. 912** -- Memorials, Recognition - Hannah Dove Maurice, Boys and Girls Clubs Youth of the Year. by \*Swann.

**Senate Joint Resolution No. 913** -- Memorials, Recognition - Jermize Weddle, Boys and Girls Clubs Youth of the Year. by \*Stevens.

**Senate Joint Resolution No. 914** -- Memorials, Death - Wanda Fay Bowling. by \*Yager, \*Bailey, \*Bell, \*Bowling, \*Briggs, \*Crowe, \*Dickerson, \*Gardenhire, \*Green, \*Gresham, \*Haile, \*Harper, \*Harris, \*Hensley, \*Jackson, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Lundberg, \*Massey, \*Niceley, \*Norris, \*Pody, \*Reeves, \*Roberts, \*Southerland, \*Stevens, \*Swann, \*Tate, \*Watson, \*Yarbro, \*McNally.

**Senate Joint Resolution No. 915** -- Memorials, Recognition - Quintarious Bond, Boys and Girls Clubs Youth of the Year. by \*Gresham.

**Senate Joint Resolution No. 916** -- Memorials, Recognition - David Price, Boys and Girls Clubs Youth of the Year. by \*Southerland, \*Reeves.

**Senate Joint Resolution No. 917** -- Memorials, Recognition - Donovan Stokes, Boys and Girls Clubs Youth of the Year. by \*Southerland.

**Senate Joint Resolution No. 918** -- Memorials, Recognition - Cameron Hamilton, Boys and Girls Clubs Youth of the Year. by \*Southerland.

**Senate Joint Resolution No. 919** -- Memorials, Professional Achievement - Amy Whaley, Regional Teacher of the Year. by \*Southerland.

**Senate Joint Resolution No. 920** -- Memorials, Recognition - Boys and Girls Club of Morristown, 60th anniversary. by \*Southerland.

**Senate Joint Resolution No. 921** -- Memorials, Recognition - Rebecca Wood, 2018 president of the Tennessee Road Builders Association. by \*Ketron, \*Reeves.

**Senate Joint Resolution No. 922** -- Memorials, Recognition - Haven Goodell, Boys and Girls Clubs Youth of the Year. by \*Crowe, \*Lundberg.

**Senate Joint Resolution No. 923** -- Memorials, Recognition - Y-12 National Security Complex, 75th anniversary. by \*McNally, \*Briggs, \*Yager.

**Senate Joint Resolution No. 924** -- Memorials, Interns - Harris King. by \*McNally, \*Briggs.

**Senate Joint Resolution No. 925** -- Memorials, Retirement - Smith County Mayor Michael Nesbitt. by \*Pody, \*Bailey, \*Haile.

**Senate Joint Resolution No. 926** -- Memorials, Academic Achievement - Dylan Cole Maxfield, Salutatorian, Clay County High School. by \*Pody.

**Senate Joint Resolution No. 927** -- Memorials, Recognition - Isaiah Bullock, Boys and Girls Clubs Youth of the Year. by \*Hensley.

**Senate Joint Resolution No. 928** -- Memorials, Retirement - Frederick A. "Rick" Brooks. by \*Haile.

**Senate Joint Resolution No. 929** -- Memorials, Retirement - Linda Kay Fulghum. by \*Gresham.

**MESSAGE FROM THE SENATE**  
**April 17, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 593, 889 and 890; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**April 17, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 849, 1540, 1543, 1731, 1786, 2034, 2232, 2235, 2278, 2279, 2370, 2699, 2703, 2705, 2707 and 2709; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED**  
**April 17, 2018**

The Speaker announced that she had signed the following: Senate Joint Resolutions Nos. 593, 889 and 890.

TAMMY LETZLER, Chief Clerk

**SIGNED**  
**April 17, 2018**

The Speaker announced that she had signed the following: Senate Bills Nos. 686, 834, 912, 1512, 1552, 1569, 1701, 1731, 1740, 1773, 1783, 1789, 1803, 1957, 1998, 2036, 2079, 2155, 2196, 2229, 2347, 2377, 2458, 2538, 2698, 2742 and 2746.

TAMMY LETZLER, Chief Clerk

**ENGROSSED BILLS**  
**April 17, 2018**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Bills Nos. 132, 601, 630, 1698, 1883, 1981, 2321, 2348, 2435, 2531 and 2690.

GREG GLASS, Chief Engrossing Clerk

**ENGROSSED BILLS**  
**April 17, 2018**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolutions Nos. 1209, 1211, 1212, 1213, 1214, 1215, 1216 and 1217.

GREG GLASS, Chief Engrossing Clerk

**ENROLLED BILLS**  
**April 17, 2018**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 317, 318, 319, 320, 321, 322, 323 and 324; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Chief Engrossing Clerk

**SIGNED**  
**April 17, 2018**

The Speaker announced that she had signed the following: House Resolutions Nos. 317, 318, 319, 320, 321, 322, 323 and 324.

GREG GLASS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK**  
**April 17, 2018**

**TUESDAY, APRIL 17, 2018 -- SEVENTY-THIRD LEGISLATIVE DAY UNOFFICIAL VERSION**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 849, 1540, 1543, 1731, 1786, 2034, 2232, 2235, 2278, 2279, 2370, 2699, 2703, 2705, 2707 and 2709; for his action.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 17, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill No. 2111; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Bill No. 2111** -- Alcoholic Beverages - As introduced, lowers amount of revenue required from sale of artwork from 90 percent to 80 percent in order for an art gallery to serve wine to patrons. - Amends TCA Title 57. by \*Niceley. (HB2275 by \*Staples, \*Love, \*Marsh, \*White D)

**ENROLLED BILLS  
April 17, 2018**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1534, 1687, 1923, 2695, 2702, 2708, 2711, 2713, 2714, 2716, 2719 and 2720; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 17, 2018**

MADAM SPEAKER: I am directed to return to the House, 1020

The Senate acceded to the request of the House for the appointment of a conference Committee. The Speaker appointed a Conference Committee composed of Senators:

Stevens, Dickerson, Gresham, Johnson & Swann

to confer with a like committee from the House in open conference to resolve the differences between the bodies on 1020

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE  
April 17, 2018**

MADAM SPEAKER: I am directed to return to the House, 1625

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The Senate acceded to the request of the House for the appointment of a conference Committee. The Speaker appointed a Conference Committee composed of Senators:

Bell, roberts & Jackson

to confer with a like committee from the House in open conference to resolve the differences between the bodies on 1625

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**April 17, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bill No. 2116; substituted for Senate Bill on same subject, amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**  
**April 17, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 1949, 2295 and 2297; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 1949** -- Public Health - As introduced, enacts the "Suicide Mortality Review and Prevention Act of 2018." - Amends TCA Title 68, Chapter 3. by \*Crowe, \*Massey, \*Swann, \*Jackson, \*Watson, \*Briggs, \*Bailey, \*Yarbro. (\*HB1961 by \*Ramsey, \*Ragan, \*Sexton C, \*Faison, \*Jernigan, \*Gilmore, \*Powell, \*Pitts, \*Eldridge, \*Miller)

**Senate Bill No. 2295** -- Administrative Procedure (UAPA) - As introduced, with certain exceptions, continues permanent rules filed with the secretary of state on or after January 1, 2017; prohibits the department of children's services from creating a process whereby a person determined to be a perpetrator of child abuse or neglect may have their substantiations reviewed as authorized under Rule 0250-07-09-.12. - Title 4, Chapter 5. by \*Bell. (\*HB2328 by \*Faison)

**\*Senate Bill No. 2297** -- Fairs - As introduced, authorizes the dean of the University of Tennessee extension to designate a person to serve in the dean's place on the state fair board. - Amends TCA Title 4; Section 5-9-102 and Title 43. by \*Haile. (HB2483 by \*Holt)

**MESSAGE FROM THE SENATE**  
**April 17, 2018**

MADAM SPEAKER: I am directed to return to the House, House Bills Nos. 1494, 1862, 1988, 2024, 2049, 2217, 2230, 2250, 2330, 2432, 2510, 2590 and 2688; substituted for Senate Bills on same subjects and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED**  
**April 17, 2018**

The Speaker announced that she had signed the following: House Bills Nos. 1534, 1687, 1923, 2695, 2702, 2708, 2711, 2713, 2714, 2716, 2719 and 2720.

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE GOVERNOR**  
**April 17, 2018**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolutions Nos. 873, 908, 996, 997, 999, 1000, 1002, 1005, 1006, 1009, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063 and 1064; with his approval.

DWIGHT E. TARWATER, Legal Counsel to the Governor

**MESSAGE FROM THE SENATE**  
**April 17, 2018**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 367, 647, 1062, 1519, 1564, 1719, 1869, 1923, 2030, 2370 and 2420; For the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS**  
**April 17, 2018**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolutions Nos. 325, 326, 327 and 328; and find same correctly enrolled and ready for the signature of the Speaker.



GREG GLASS, Chief Engrossing Clerk

**SIGNED**  
**April 17, 2018**

The Speaker announced that she had signed the following: House Resolutions Nos. 325, 326, 327 and 328.

GREG GLASS, Chief Engrossing Clerk

**RECESS**

On motion of Rep. Williams, the House stood in recess until 2:00 p.m., Wednesday, April 18, 2018.